

# Vacant and Abandoned Property

## Effective Solutions for Rhode Island

< A Report of the Governor's  
Growth Planning Council



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## Executive Summary

In September, 2002, the Governor's Growth Council established a subcommittee to assess the problem of vacant and abandoned property and its impact on Rhode Island communities, and to make recommendations on improving the system for returning these properties to productive use. In carrying out this charge, the Vacant and Abandoned Property Committee conducted a survey of all cities and towns in the state, and reviewed relevant Rhode Island laws as well as over 40 reports dealing with vacant and abandoned property in Rhode Island and around the country. The results are 8 recommendations for state and municipal action that could reduce the incidence of property abandonment and encourage the redevelopment of vacant properties in established neighborhoods.

All of these recommendations for state and local action focus on several key issues which, if appropriately addressed, could make a significant difference in the ability of municipalities to deal quickly and effectively with problem properties. With leadership and support from state agencies Rhode Island could become a model for other states in its approach to vacant and abandoned property. A state where....

< **Every municipal official has ready access to up-to-date information on the location and status of vacant and abandoned property in their community....** Standardized, up-to-date, parcel-based information on vacant and abandoned property in a GIS compatible format is needed in every city and town to inform strategies for redevelopment and help

prevent abandonment from occurring in the first place. Municipal databases tracking characteristics of abandonment, should be "talking" with one another to offer a complete picture of the problem.

< **Municipal officials are actively utilizing a range of statutory tools to quickly return vacant properties to productive use....**

Rhode Island laws do offer opportunities for the expedited "taking" of vacant and abandoned property. However, these laws are underutilized and many communities have not established entities, like land banks or redevelopment authorities, needed to take full advantage of them. A clear, step-by-step workbook on how to utilize these laws (similar to the Abandoned Housing Training Manual developed by the Massachusetts Attorney General's Office), combined with training and technical assistance would encourage greater use of these tools.

< **State and local agencies, residents, community-based organizations, local businesses, and colleges and universities are all working together to turn around problem properties in Rhode Island communities....**

There are clear opportunities for stronger partnerships at the state and local level to create more effective systems for addressing vacant and abandoned properties. These include partnerships between municipalities, residents and neighborhood organizations to develop strategies for addressing vacant and abandoned property; partnerships between municipalities and CDCs to identify and

facilitate the redevelopment of appropriate properties; partnerships between the state, cities and towns, and colleges and universities to improve access to and analysis of data on problem properties; and partnerships between the state and municipalities to market these properties and target resources for their redevelopment.

< **Through the use of effective tools and strong partnerships, Rhode Island cities and towns are turning vacant and abandoned properties into centers of community activity.** Many of the vacant and abandoned properties that are currently a source of blight, have the potential to be real assets to Rhode Island communities if appropriately



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rehabilitated. There is an historical character to many of these properties that could contribute positively to an 'authenticity of place' that is attractive to many residents and businesses. There are examples around the state of previously blighted areas being restored to their historic character – including Benefit Street in Providence, and Constitution Hill in Woonsocket. Vacant and abandoned property strategies at the state and local level should focus on rehabilitating these properties wherever possible, particularly in historic areas.

In essence, the recommended steps are designed to help communities track vacant and abandoned property, develop effective community-based strategies to redevelop these properties, coordinate municipal actions involving taking, maintaining, marketing, and redeveloping them, and ensure that effective statutory tools are in place to expedite this process. Clearly there are costs associated with each of these steps. However, our review of findings from other communities suggests that those costs can be outweighed by increased revenue from redevelop-



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oped properties and the surrounding neighborhood as well as reduced costs for municipal services including police, fire, and public works. For instance, an analysis of tax collection trends in Philadelphia determined that over a twelve year period, redeveloping vacant and abandoned properties in targeted areas would create over \$81 million in new revenue for the city.<sup>1</sup> In addition, the value of improving the quality of life for neighborhood businesses and residents cannot be underestimated.

While abandoned properties pose a serious problem statewide, and probably exist in every Rhode Island city and town, the scale of the problem varies significantly from one community to the next. Likewise, the most effective approach to dealing with these properties may differ significantly from a community like Barrington, where town officials are aware of no currently abandoned properties, to Providence, which estimates a current vacant property inventory of 652. This report is designed to offer a host of tools and strategies

that municipalities can utilize to deal with the unique problems they face with abandoned property. Different communities may find different tools and strategies to be the most appropriate for their local conditions. However, we hope that every municipality will find something in this report to help them return vacant and abandoned property in their community to productive reuse.

## Prioritized Recommendations Recommendations for State Action

### • Standardize Data Collection.

The Office of Statewide Planning and the Office of Municipal Affairs should develop uniform standards for the collection of GIS data on land use, including a coding system for vacant and abandoned property. The Rhode Island Geographic Information System (RIGIS) Executive Committee is currently completing guidelines and standards for digital parcel data for cities and towns. Coupled with an update of the statewide tax assessor and land use codes, these tools would provide a standardized system for cities and towns to, among other things, identify and map vacant and abandoned property in their community. Local colleges and universities should also be tapped to assist in analyzing and mapping data on abandoned properties.

### • Establish a State Vacant and Abandoned Property Task Force.

The recommendations of the Vacant and Abandoned Property Subcommittee of the Governor's Growth Planning Council should be pursued through a State Vacant and Abandoned Property Task Force co-chaired by the Rhode Island Housing Resources Commission (HRC) and the Economic Development Corporation (EDC), and staffed by the EDC. Other members of the Task Force should include Rhode Island Housing, the

Rhode Island Public Expenditures Council, the Office of Statewide Planning, the Department of Environmental Management, and the League of Cities and Towns. The responsibilities of the task force should be to;

1. Create a uniform definition of abandoned property;
2. Develop a workbook and training program for municipal officials to guide them through the steps recommended in this report and the tools available to address problem properties in their community;
3. Further analyze the effectiveness of the existing statutory tools and recommend changes;
4. Examine the coordination of state agency policies and programs in assisting cities and towns with the redevelopment of vacant and abandoned property;
5. Explore how the EDC could play a more central role in revitalizing vacant and abandoned properties by seeking out additional resources and partnering with realtors, banks, and nonprofits to help market existing facilities, particularly historic or vacant and abandoned commercial and industrial spaces throughout the state;
6. Provide training and education on revised codes to promote effective use of this new tool;
7. Create a pilot program in Providence to test the implementation of the recommendations in this report;
8. Host a conference to discuss the vacant and abandoned property problem in Rhode Island and learn first hand about model programs in other states.

<sup>1</sup> Eastern Pennsylvania Organizing Project and the Temple University Center for Public Policy with assistance from Diamond & Associates, "Blight Free Philadelphia, A Public-Private Strategy to Create and Enhance Neighborhood Value," October 2001.

- **Implement Growth Centers.**

Implement a state “Growth Centers” program to focus state resources on the redevelopment of existing town and urban centers. Begin this process with the Office of Statewide Planning establishing a process to identify Growth Centers, and the Governor’s Growth Planning Council developing a process to target state resources to priority areas within those Growth Centers.

- **Establish a Legislative Commission.**

The General Assembly should establish a Legislative Commission, that would include the Vacant and Abandoned Property Task Force, to examine the issue of vacant and abandoned property and consider legislation to;

1. Standardize enabling legislation for all Rhode Island housing courts;
2. Revise the Redevelopment Laws to give cities and towns more power to encourage the reuse of vacant and abandoned property;
3. Provide financing for the reuse of vacant and abandoned properties through tax credits for the redevelopment of brownfields, and the establishment of a statewide Renaissance Fund;
4. Ensure that all state tax policies that are adopted to encourage investment in targeted areas promote rehabilitation and reuse of existing properties.

violations and other relevant information in a parcel-based format and ensure that the information is regularly updated;

2. Partner with local CDCs or resident organizations to keep information on housing conditions and code violations current;
3. Ensure that all municipal data relevant to vacant and abandoned properties is linked to provide the most complete picture of the problem.

- **Comprehensive planning.**

By working with residents to establish a clear, strategic plan for dealing with vacant and abandoned property, municipalities can help to ensure that redevelopment occurs in a way that is beneficial to the community, and has the support of area residents.

1. Include strategies to address vacant and abandoned property in the city or town’s comprehensive plan, and develop neighborhood revitalization plans that tailor these broad strategies to neighborhood conditions;
2. Involve residents and community organizations in the development of vacant and abandoned property strategic plans and consult with them on the redevelopment of specific properties;
3. Place a priority on the preservation and rehabilitation of existing properties when developing comprehensive plans and redevelopment strategies.

- **Creating housing opportunities through redevelopment.**

Rhode Island is in the midst of a housing crisis with the need for housing affordable to low and even moderate income residents far outstripping the supply. The Low and Moderate Income Housing Act requires that at least ten percent of the housing units in every city and town be affordable. Vacant and abandoned properties offer municipalities an opportunity to meet the housing needs of their residents without eating up open space or requiring the development of expensive new infrastructure.

1. Make more effective use of state and local land-banking opportunities;
2. Require developers who demolish housing units to either build replacement units or contribute to a housing trust fund;
3. Build strong partnerships with local or regional non-profit housing developers to assist in the redevelopment of problem properties.

## **Recommendations for Municipal Action**

- **Organize for success.**

An accurate, comprehensive, parcel-based system for tracking vacant and abandoned property can save municipalities money by limiting lost taxes, reducing public safety and property maintenance costs, and halting the decline of neighboring property values.

1. Utilize state tax assessor and land use codes to track data on tax delinquencies, code

- **Good government.**

A clear, consistent, and timely process for dealing with tax-title and vacant and abandoned properties can attract investments by reassuring private and non-profit developers that the project will not get hung up in long delays and red tape.

- **Establish a process to coordinate response to vacant and abandoned property among all municipal offices.**

## Background

In September, 2002, the Governor's Growth Planning Council established a committee to assess the problem of vacant and abandoned property and its impact on Rhode Island communities, and to make recommendations on improving the system for returning these properties to productive use. There is a clear link between the redevelopment of vacant and abandoned property and the charge of the Growth Council to "recommend ways of encouraging growth in economically and environmentally sound locations."<sup>2</sup>



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Facilitating the reuse of these properties directs growth to previously developed areas with existing infrastructure and services, and away from undeveloped rural and suburban land. The redevelopment of vacant and abandoned properties is Rhode Island's number one smart-growth opportunity. Making use of this inventory of properties would go a long way toward addressing the current housing crisis and shortage of available commercial and industrial sites.

Redeveloping blighted properties also improves the stability and quality of life in existing neighborhoods, leading to higher property values and revenues for municipalities, while decreasing costs associated with the maintenance and public safety of these properties. An effective strategy for dealing with vacant and abandoned property also complements the Growth Planning Council's recommendations for focusing state resources in Growth Centers, defined as "dynamic and efficient centers for development that have a core of commercial and community services, residential development, and natural and built landmarks and boundaries that provide a sense of place."<sup>3</sup> Many of Rhode Island's vacant and abandoned properties are found in these older 'centers' of development. Focusing state resources on these areas will further stimulate their redevelopment. At a time when finding appropriate commercial sites in Rhode Island has become a limiting factor for economic growth, marketing vacant and abandoned properties can help stimulate economic development.

Vacant land and abandoned buildings are both a cause and an effect of urban decay. Not only are abandoned properties an eyesore for communities, they threaten the health and safety of residents in several ways. They become targets for illegal dumping, which in turn can lead to environmental hazards, vermin and infestation. Further, since owners are no longer monitoring these properties, they become prime locations for drug use and other illegal activities, and represent potential fire hazards.

Abandoned properties also have a fiscal impact on municipalities. These properties represent a loss in revenue due to unpaid taxes, and lower the property values of neighboring lots. Lower property values result in still lower tax rev-

enues from these neighboring properties. Abandoned properties are costly for municipalities to maintain, as they often require more police, fire and code enforcement services than comparable occupied properties. A recent Grow Smart Rhode Island report estimated that Rhode Island's five core cities (Providence, Pawtucket, Newport, Central Falls, and Woonsocket) have lost almost \$45 million in tax revenue due to vacant land since 1995. Providence loses over \$23.3 million annually.<sup>4</sup> On the other hand, redeveloping these properties improves the quality of life for neighborhood residents while increasing municipal income.

Vacant and abandoned properties exist in every community in Rhode Island. In some communities there is such a small number of these properties, or their blighting influence is so modest, that they are not deemed a problem. In other communities, municipal leaders struggle to address abandoned properties and the health, public safety, and financial problems they create.

<sup>2</sup> "Growth Centers: Recommendations for Encouraging Growth and Investment in Economically and Environmentally Sound Locations in Rhode Island," The Governor's Growth Planning Council, 2002.

<sup>3</sup> Ibid.

<sup>4</sup> Prepared for Grow Smart Rhode Island by H.C. Planning Consultants, Inc., and Planimetrics, LLP, "The Costs of Suburban Sprawl and Urban Decay in Rhode Island," December 1999.



## Purpose

The purpose of this report is to;

- Help Rhode Island municipalities define the vacant and abandoned property in their community and understand the tools available under state law to address these properties;
- Show examples from Rhode Island and across the nation of how these tools are being used to return vacant and abandoned property to productive use, and;
- Propose state activities to assist and support municipal initiatives.

This report focuses exclusively on privately owned vacant and abandoned property (residential and commercial). While publicly owned property can be as much of a blighting influence for cities and towns as private property, there is a separate, system for returning these properties to productive use which was deemed outside the scope of this report. Communities dealing with publicly owned abandoned properties should work with the appropriate agency to identify the steps needed to gain control of these properties.

### A Survey of the Problem

In preparation for this report, all Rhode Island cities and towns were surveyed to determine the scope of the abandoned property problem and how communities are tracking

and dealing with these properties. (The full survey and survey results are included in Appendix D.) The survey also requested information on the challenges municipalities face in redeveloping abandoned properties.

Of the twenty-one municipalities that responded to our survey, nine suburban or rural communities felt that abandoned property was not a problem. Almost half of the responding municipalities do not track vacant and abandoned properties. Of the communities that reported that they do monitor these properties, most track them only through code enforcement or building inspections. Of the 11 communities that reported they



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were dealing with some problem properties, the number ranged from 3-4 in North Kingstown to 652 in Providence. Problems associated with vacant and abandoned properties identified by respondents include blight, environmental remediation costs, disinvestment, rodent problems, lowered property values, fire and health hazards, overgrowth of land cover, vandalism and drugs.

Respondents felt that attention was needed on several issues including:

- Stronger building and minimum housing codes;
- Taxation policies to punish owners who do not maintain property;
- Grants or loans for developers interested in reinvesting in these properties;
- Closing loopholes that allows owners to avoid accountability; and
- Industrial and commercial buildings that are underutilized.

## Making effective use of existing tools: Best Practices

*Seizing City Assets: Ten Steps to Urban Land Reform*, a recent report by the Brookings Institute and CEOs for Cities, lays out a ten-step process to promote faster and better redevelopment of vacant and abandoned properties. This report follows their ten step process to identify best practices and opportunities to apply these model initiatives here in Rhode Island. The ten steps identified by the 'Seizing City Assets' report are:

1. Know Your Territory
2. Develop a Citywide Approach to Redevelopment
3. Implement Neighborhood Plans in Partnership with Community Stakeholders
4. Make Government Effective
5. Create a Legal Framework for Sound Redevelopment
6. Create Marketable Opportunities
7. Finance Redevelopment
8. Build on Natural and Historic Assets
9. Be Sensitive to Gentrification and Relocation Issues
10. Organize for Success<sup>5</sup>

### Step One Know Your Territory

#### Define Vacant and Abandoned Property

In order to develop an effective strategy for dealing with the problem of vacant and abandoned property a municipality must first identify these properties.

There is currently no uniformity among Rhode Island's laws on what constitutes abandoned property. The statutory definitions were developed at different times to deal with particular issues that the laws were addressing. Similarly, at the local level many communities define vacant and abandoned

property on a case-by-case basis. A clear definition of what is meant by vacant and abandoned properties should be developed and used by all municipalities to track and address these properties at the local level. However, the strategies adopted to address these properties should be tailored to the needs of each community. As our survey highlighted, the problem of vacant and abandoned property varies considerably from community to community. Some rural and suburban communities do not consider property abandonment to be a problem, while in urban areas, addressing these properties is an ongoing challenge. An abandoned but undeveloped lot may not be considered a blighting influence in some communities, while a vacant but previously developed lot might be. In considering the problem of property abandonment, some communities look only at residential properties, while others consider commercial, industrial, and mixed use properties as well.

#### < Definitions of Vacant and Abandoned Property

The International City/County Management Association (ICMA) identifies the key characteristics of vacant properties as abandoned, boarded and secured, and a public nuisance.<sup>6</sup>

The Providence Vacant Land Task Force used the terms "healthy" versus "unhealthy" vacant land uses to define vacant property. The task force identified unhealthy uses as unmaintained or landfill-like vacant land, and abandoned, unmaintained properties that represent a public safety risk.<sup>7</sup> >

Every municipality must decide for itself what approach to take to address vacant and abandoned property in a way that takes into consideration local conditions and concerns. Some questions to consider when deciding which properties to focus on include;

- What properties and property conditions are currently creating a public nuisance in the area?
- Should the community focus on vacant and abandoned residential property or develop an integrated strategy to deal with commercial as well as residential properties?

One size does not fit all. The most effective strategies for addressing blighted properties are tailored to address the needs of the community.

Once it is clear what vacant or abandoned properties are posing a problem, municipalities should have a system to track where these properties are located, as well as key information about their condition and tax status. A 1999 national survey showed that identifying and tracking vacant and abandoned properties is a problem for municipalities around the country. Forty-four of the ninety-nine cities surveyed could not rely on GIS to track vacant land, and only 24% used tax delinquency information, a strong indicator of abandonment, to track vacant and abandoned properties.<sup>8</sup> Our survey of Rhode Island municipalities found even less formal tracking of these properties. Most communities in the state rely primarily on complaints from neighbors and code enforcement activity to identify vacant and abandoned property and do not have a formal tracking system.

#### Track Vacant and Abandoned Properties

Tracking systems for vacant and abandoned property should be integrated with a geographic information system (GIS). The Providence Plan, working with the city of Providence, has developed a GIS database for the city. The Providence Plan has expanded the system to offer a web-based, interactive mapping tool as well as data sets on residential properties, including information on the housing type, owner-occupancy, and vacant and underutilized

<sup>5</sup> Paul C. Brophy and Jennifer S. Vey, "Seizing City Assets: Ten Steps to Urban Land Reform," Center on Urban & Metropolitan Policy The Brookings Institution and CEOs for Cities, October 2002.

<sup>6</sup> J.M. Schilling, "The Revitalization of Vacant Properties, Where Broken Windows Meet Smart Growth," International City/County Management Association.

<sup>7</sup> The Providence Vacant Land Task Force, A Report to the Mayor, February 1997

<sup>8</sup> Michael Pagano and Ann O'M. Bowman, "Vacant Land in Cities: An Urban Resource," Washington, D.C.: Brookings Institution Center, 2000.

<sup>9</sup> Brophy and Vey, 2002.



property. Information is also available on housing sales and general demographic information at the citywide or neighborhood level. Code enforcement data from the city's Department of Inspection and Standards was used to identify vacant property. The tool is limited by the timeliness of the data, which is updated annually, and the fact that the tax data is based on digital maps that have not been updated since 1998 to reflect changes in plat and lot lines.

Providence has struggled with developing a consistent and uniform approach to tracking vacant and abandoned property. The city uses both the state tax assessment coding system and the state land use coding system. The first is a two digit coding system that classes land for tax purposes. This system is being revised at this time. The state land use coding system is a four digit coding system for land use mapping. The city's Vacant Land Task Force proposed adding several codes to this system so that vacant and abandoned property could be added to the land use mapping coding system. As communities around the state move forward with GIS mapping, it is essential that a uniform coding system be developed and utilized.

Providence is moving forward and developing more accurate, timely, and complete information modeled on the Baltimore web-based system, City-Stat. In his inaugural address, Providence Mayor David Cicilline announced that the city will develop ProvStat, a GIS based data system to track all issues facing the city of Providence.

Other Rhode Island communities have GIS and are beginning to develop mapping capability. West Warwick has created a system to map tax-delinquent properties in the city, but the system does not include other relevant data on the properties like vacant and abandoned

status, housing code issues or information on housing condition. Communities should obtain electronic parcels maps in order to manage properties. The state, RIGIS is developing GIS standards to ensure that parcel data is useful as a base map and readable across communities. Data tied to these maps should be coordinated across municipal departments and be consistent from municipality to municipality to allow for regional and statewide analysis.

The 'Seizing City Assets' report identifies some of the fundamental questions that local governments should be able to answer about their vacant and abandoned properties:

- Where are the vacant land and buildings?
- What is the condition of the supply?
- How are the parcels zoned?
- Are they in strong or weak market areas?
- Who owns the parcels?
- What are their current market values?
- What properties might be in danger of becoming abandoned?"

This information is critical to developing an effective strategy for dealing with vacant and abandoned properties and for preventing properties from becoming abandoned in the first place. There are a number of cities around the country that have developed model programs for tracking information on troubled properties. Some common themes run through many of these models: information is web-based and includes mapping capability; information is generally accessible to the public; and a broad range of information is collected to assist in analyzing trends, developing strategies for vacant and abandoned properties, and facilitating redevelopment. Many of these models involve partnerships of municipalities and colleges, universities, or non-profit organizations.

## CASE STUDY ONE

### GIS SYSTEMS FOR ABANDONED PROPERTY MANAGEMENT

**Neighborhood Knowledge California** Developed and maintained by the University of California at Los Angeles Advanced Policy Institute. Publicly accessible web-based data on code violations, tax liens, and building permits by individual property. The site also includes census data. Users can map data to identify concentrations of problem properties or analyze trends in tax delinquency or abandonment. <http://www.nkca.ucla.edu>

#### Neighborhood Technologies Early Warning System

**(NEWS)** NEWS is a Chicago-based information system accessible through a World Wide Web Site developed by a non-profit organization, the Center for Neighborhood Technology (CNT). Data is available on properties in the city of Chicago and Cook County. Indicators on code violations, housing court cases and fire records from several city and county agencies are combined with the Department of Planning information into a single, computerized database. [www.cnt.org](http://www.cnt.org)

#### Philadelphia Neighborhood Information System

**(NIS)** Established in 1999-2000 by the University of Pennsylvania, the system offers Internet access to municipal real estate records linked to GIS software. Address specific information includes size of property, owner's name, date of purchase, purchase price, tax delinquency status, gas and water account status, city code violations and other data. Data is currently downloaded biennially but plans are in place to move to a quarterly download. Access to site-specific data is limited to authorized users which include city agencies, city council members, and more than 100 non-governmental organizations, most of them Community Development Corporations (CDCs) and nonprofit organizations engaged in neighborhood planning or real estate development. Other information on the site is available to all users and includes mapping of census data on housing conditions and maps, reports and data on vacant property and neighborhood revitalization issues. [www.cml.upenn.edu/nis](http://www.cml.upenn.edu/nis)

**Milwaukee** The city's website includes GIS mapping of the entire city, and parcel-based information on property use, tax status, owner occupancy, and other information. Users can create maps showing tax delinquent properties, zoning, development zones and other information. The city also maintains a Master Property Record which includes more than 90 elements of data describing each of the approximately 160,000 properties in the city. [www.milwaukee.gov/gis](http://www.milwaukee.gov/gis)

## Recommendations for State Action

- **Develop statewide standards for collecting and mapping parcel-based data, and update the statewide tax assessor and land use codes to accurately and consistently identify vacant and abandoned property in all communities.**

The Rhode Island Geographic Information System (RIGIS) Executive Committee is currently completing guidelines and standards for digital parcel data for cities and towns. The statewide tax assessor and land use codes also need to be updated. If utilized by cities and towns, these tools would provide a standardized system to, among other things, identify and map vacant and abandoned property across the state.



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- **Create a state/local partnership to better analyze geographic data to manage abandoned properties.** Most cities and towns in Rhode Island have limited staff and resources to strategically manage vacant and abandoned property. The Statewide Planning Program, possibly in partnership with a local college or university, could provide online access to statewide digital aerial photographs and other key data layers. This would lessen the administrative burden and technical demand on municipalities wishing to identify and manage abandoned or at-risk properties. State level analysis of trends in tax delinquency and abandonment or development opportunities could also be performed. In addition, funding should be made available to help municipalities develop

basic GIS based, parcel-level data, coupled with technical assistance and training to help make the most effective use of this valuable tool.

## Recommendations for Municipal Action

- **Ensure that data collected is accurate, up to date, and that all relevant information is captured.**

Municipalities assess and collect property taxes, enforce the building code and oversee economic redevelopment activity. As such they need to collect basic information that is needed to track abandoned and at-risk properties. In its recent report *Back on the Rolls*, the Citizens' Housing and Planning Association (CHAPA) recommended that all communities have a database of tax delinquent properties that includes ownership records, assessing data, collection and tax delinquency data (including tracking information about where it currently is in the tax taking process) as well as opportunities for input from the code enforcement agency, police and fire departments.<sup>10</sup>

- **Ensure that all data collected on vacant and abandoned properties is being effectively used to inform redevelopment strategies.** Municipalities should identify all departments that collect data relevant to vacancy and abandonment and ensure that these data sets are compatible and linked to eliminate redundancies and maximize data use. Even in Providence data on vacant and abandoned property is not shared between different departments. The tax assessor and code enforcement both collect information on vacancy and abandonment but the information is not shared and properties included on one list are not necessarily found on the other.

- **Partnerships with local community or resident organizations.** Municipalities should explore opportunities to partner with local CDCs or resident organizations to keep information on housing conditions and code violations current through windshield surveys or neighborhood watches which report on housing conditions, code violations and criminal activity.

## Step Two Develop a Municipality-wide Approach to Redevelopment

### Strategic Planning

For any of the available tools or best practices for dealing with vacant or abandoned property to be effective, a community must first develop clear goals and objectives for dealing with these properties. Many different offices or agencies may be involved in a municipality's disposition of troubled properties, including the tax assessor, building code enforcement, police and fire departments, the planning office and redevelopment agencies. Each of these entities brings their own interests and priorities to the process. The tax assessor's primary concern is that the city or town receive all taxes due along with any fees or liens incurred. The primary concern of the planning department or redevelopment agency may be attracting a buyer that will redevelop or rehabilitate the property. Neighborhood residents and community-based organizations, on the other hand, may have strong feelings about making use of these properties for a specific purpose such as affordable housing, open space, commercial or mixed commercial and residential use. Without a comprehensive strategy for dealing with vacant or abandoned properties, each of these parties may work at cross-purposes, further complicating the already challenging process of bringing these properties back into productive use.

<sup>10</sup> Citizens' Housing and Planning Association, "Back on the Roll in Massachusetts." 2002.

None of the cities and towns we surveyed for this report indicated that a comprehensive strategy existed for addressing the problem of vacant and abandoned properties. Some municipalities work on an informal basis with local non-profits where they have an interest in the redevelopment of an abandoned property. Several have developed targeted programs to move properties as quickly as possible from tax title to productive reuse. But none have analyzed their inventory of vacant and abandoned properties and developed a strategy for dealing with these properties based on that assessment.

One characteristic shared by many model communities is that they have adopted plans and policies that treat these properties as potential assets rather than problems. Ideally, the strategies developed to reclaim abandoned properties will be an essential component of and consistent with a broader strategy for community development. The report *Vacant-Property Policy and Practice: Baltimore and Philadelphia* characterized the approach to neighborhood revitalization adopted by these cities as:

- *Citywide*, taking into account the public investment issues associated with every neighborhood in the city;
- *Market-driven*, based on an assessment of housing market characteristics rather than on social needs or political demands; and,
- *Data-linked*, drawing on census data, municipal records, and real estate market data to characterize neighborhood conditions and identify appropriate government action."

Strategic planning to address the issue of blight must also identify the root causes for property abandonment since different causes may require different solutions. For example, anecdotal evidence

## CASE STUDY TWO NEIGHBORHOOD PROGRAMS

**Philadelphia Neighborhood Transformation Initiative (NTI)** The City of Philadelphia contracted with The Reinvestment Fund, a development finance corporation, to conduct a market cluster analysis of the city's neighborhoods. The analysis identified six real estate market clusters; Regional Choice, High Value/Appreciating, Steady, Transitional, Distressed, and Reclamation. Coupled with this market analysis, the city initiated an open and inclusive neighborhood planning process. As part of that process, the city's Planning Commission reviewed existing neighborhood plans with reference to NTI policies and in neighborhoods where no plan existed, or existing plans needed updating, worked with the community to develop a plan.

**Neighborhoods in Bloom (NIB) Program** Richmond, VA developed the NIB program to address growing concerns about high crime and vacant, blighted housing. The city decided to target limited resources to select areas to have the greatest impact. Data on the city's neighborhoods was analyzed and the neighborhoods were classified into four broad categories based on their concentration of abandoned buildings, crime, poverty rates and other factors. Numerous community meetings were held to help identify the six neighborhoods most in need, and areas within those neighborhoods where investments would have the greatest impact. The city has focused its investment of HOME, CDBG and other state and federal resources in these target neighborhoods. The city's code enforcement and police powers are also being used to improve the housing stock and quality of life in the neighborhood.

**PlanBaltimore** Baltimore conducted a series of neighborhood meetings resulting in vision statements for key areas of priority. To inform these plans and the development of specific strategies, the Planning Department developed a housing market typology based on aggregated housing and neighborhood data for the 271 neighborhood areas in the city. Four neighborhood types were created: Preservation, Stabilization, Reinvestment, and Redevelopment. Strategies for public investment were developed to address the needs for each of these neighborhood types. The city targeted Stabilization neighborhoods for housing upgrades, while Redevelopment neighborhoods required vacant property acquisition and development of housing, recreation, and commercial uses on cleared land and vacant lots. In 2001-02 the city updated its neighborhood planning approach with the collection and analysis of data on neighborhood conditions, additional public workshops to develop neighborhood action plans, and the presentation of the plan to a Neighborhood Cabinet made up of department heads and appropriate staff from a variety of agencies who make specific commitments to implement portions of the plan or explain why they are unable to do so.

from Nashville, Richmond, Rockford, and San Diego indicated that a significant cause of single-family housing abandonment in these communities was that many homeowners, especially lower-income persons, die without wills, leaving no person whom the city can contact regarding disposition of the properties.<sup>14</sup> For a vacant and abandoned property strategy to be successful in these communities, it would need to address this problem.

Another common characteristic of many model vacant and abandoned property strategies is political leadership. CHAPA's *Back on the Roll* report identified political will as one of six essential components in any strategy to address tax-title properties.<sup>15</sup> Each of the initiatives detailed in Case Study Two was spearheaded by the respective city's political leadership, ensuring the cooperation of city agencies in the development and implementation of the strategies.

<sup>11</sup> John Kromer, "Vacant-Property Policy and Practice: Baltimore and Philadelphia," The Brookings Institution, CEOs for Cities, 2002.

<sup>12</sup> Kromer, "Vacant-Property Policy and Practice: Baltimore and Philadelphia."

<sup>13</sup> Brophy and Ney, "Seizing City Assets: Ten Steps to Urban Land Reform."

<sup>14</sup> John Accordini and Gary T. Johnson, "Addressing the Vacant and Abandoned Property Problem," Journal of Urban Affairs, 2000.

<sup>15</sup> "Back on the Roll in Massachusetts," CHAPA.



PROVIDENCE  
SWAP

## Recommendations for Municipal Action

- **Include strategies to address vacant and abandoned property in local comprehensive plans.**

Rhode Island cities and towns have adopted comprehensive plans that include housing and land use elements. Most, however, do not include specific strategies targeting vacant and abandoned properties. As cities and towns prepare the five-year updates to their comprehensive plans, they should define what constitutes vacant and abandoned property in their community, identify the extent of the problem and include strategies for preventing housing abandonment, and for quickly addressing properties that are abandoned.

- **Develop neighborhood revitalization plans consistent with updated comprehensive plans.**

A number of communities are developing revitalization plans at the neighborhood level funded out of their own budgets or with the assistance of programs like CDBG and Rhode Island Housing and Mortgage Finance Corporation's Neighborhood Revitalization Program. These plans can be used to build support for anti-blight programs and to tailor citywide vacant and abandoned property strategies to the market conditions of individual neighborhoods.

### **Step Three Implement Neighborhood Plans in Partnership with Community Stakeholders**

#### **Resident Involvement**

An essential element in a redevelopment strategy is the involvement

of residents and community based organizations. Both can be key resources to help municipalities understand why properties are being abandoned, track conditions or housing code violations on abandoned properties, and identify appropriate uses for these properties. Community Development Corporations (CDCs) can also be valuable partners for the redevelopment of abandoned properties. Municipalities that fail to consult residents and local organizations on the redevelopment of vacant and abandoned properties will also find them to be formidable opponents to plans they consider inappropriate for the area.

The public involvement approach is already paying dividends in cities like Richmond, detailed in case study 2. That city initiated a community participation process informed by detailed community data in 1999. The outcome was a targeted investment strategy that by June of 2001 had resulted in 810 code violations resolved, 130 home repair loans made, and 118 properties rehabilitated. In addition property values are up and crime down in the targeted neighborhoods.<sup>16</sup>

## Recommendations for Municipal Action

- **Include residents and community organizations in the development of vacant and abandoned property strategic plans and consult with them on the redevelopment of specific properties.**

### **Step Four Make Government Effective**

The lack of coordination among city agencies involved with vacant and abandoned properties is one of the most frequently cited barriers to effectively tracking and redeveloping vacant and abandoned property. Developers may choose to locate in undeveloped

suburban or rural areas if they believe the process to proceed with a vacant or abandoned property is too cumbersome, or that the municipality is unresponsive to their needs. Communities that spread responsibility for redeveloping tax title and vacant and abandoned property across multiple departments without a coordinating process are putting up barriers to the successful redevelopment of these properties.

Some of the best practices recommended in the *Back on the Roll* report include;

- Assembling the necessary agencies in a formal process for accountability and action;
- Setting clear goals for staff and holding departments accountable, and;
- Requiring agencies to communicate.<sup>17</sup>

A recent report on addressing blight in Philadelphia recommended that the City consolidate the four functions related to blight and vacant property into a single Office of Neighborhood Services with the mission and resources to prevent abandonment, speed the reuse of vacant property and stabilize neighborhoods.<sup>18</sup>

## Recommendations for State Action

- **Establish a State Vacant and Abandoned Property Task Force.**

To ensure implementation of state actions recommended in this report, the Governor should establish a State Vacant and Abandoned Property Task Force. The Task Force should be co-chaired by the Rhode Island Housing Resources Commission (HRC) and the Economic Development Corporation (EDC), and staffed by the EDC. Other members of the Task Force should include Rhode Island Housing, the Rhode Island Public Expenditures Council, Grow Smart Rhode Island, the Office of

<sup>16</sup> Brophy and Vey, "Seizing City Assets: Ten Steps to Urban Land Reform."

<sup>17</sup> "Back on the Roll in Massachusetts," CHAPA.

<sup>18</sup> "Blight Free Philadelphia, A Public-Private Strategy to Create and Enhance Neighborhood Value," Research for Democracy, a collaboration between the Eastern Pennsylvania Organizing Project and the Temple University Center for Public Policy, 2001.



Statewide Planning, the Department of Environmental Management, and the League of Cities and Towns. The role of the task force is to;

1. Create a uniform definition of abandoned property;
2. Develop a workbook and training program for municipal officials to guide them through the steps recommended in this report and the tools available to address problem properties in their community;
3. Analyze the effectiveness of the existing statutory tools and recommend changes;
4. Examine the coordination of state agency policies and programs in assisting cities and towns with the redevelopment of vacant and abandoned property;
5. Explore how the EDC could play a more central role in revitalizing vacant and abandoned properties by seeking out additional resources like the New Market Tax Credit program, and partnering with realtors, banks, and nonprofits to help market existing facilities, particularly historic or vacant and abandoned commercial and industrial spaces throughout the state;
6. Provide training and education on revised codes to promote effective use of this new tool;
7. Host a conference to discuss the vacant and abandoned property problem in Rhode Island and learn first hand about model programs in other states.

- **Create a pilot program in Providence to test the implementation of the recommendations in this report.**

With its relatively high number of city-owned, vacant, and abandoned properties, Mayor Cicilline's commitment to improving coordination among city agencies, and the planned ProvStat project, Providence offers an excellent opportunity to test the effectiveness of many model strategies for addressing vacant

and abandoned properties. Some of the strategies, which could be incorporated in the pilot include;

1. Establishing a partnership between the Office of Statewide Planning, the Providence Plan, a local college or university, the city departments of planning, assessment and inspection and standards and the ProvStat to create a model web-based system for identifying, mapping, and analyzing vacant and abandoned property;
2. Coordinating state agency resources to help the city address issues ranging from brownfields, to illegal activity on abandoned property, rehabilitation of these properties, and marketing of city-owned properties to potential developers;
3. Provide technical assistance, training and materials to assist the city in taking advantage of some of the statutory tools available for acquiring problem properties.

The Vacant and Abandoned Property Task Force should take the lead in working with the city and state agencies to establish the pilot program.

## Recommendations for Municipal Action

- **Establish a process to coordinate response to vacant and abandoned property among all municipal offices.**

The strategies pursued by these offices should be guided by a vacant and abandoned property strategic plan and spearheaded by the community's elected officials. Where possible, a single office or individual should have responsibility for coordinating vacant and abandoned property strategies for the municipality.

## CASE STUDY THREE ENFORCEMENT APPROACHES

**San Diego** The city appointed a vacant properties coordinator within the Neighborhood Code Compliance Department to facilitate the abatement and rehabilitation of vacant properties and build relationships across essential city departments. The city also established a vacant property resource team to help coordinate roles and resources and solve problems across city departments and agencies.

**Portland** For Portland's vacant property program, the Office of Planning and Development brought together key city departments in an interagency task force on vacant properties. The city also facilitated better coordination between departments within different levels of government to ensure compatibility between regional and local redevelopment goals. This coordination helped to reduce regulatory barriers and offer incentives for the redevelopment of vacant properties.

**Coordinated Code Enforcement** A number of states, including Rhode Island, have utilized coordinated code enforcement strategies to address vacant and abandoned properties. The Attorney General's Nuisance Task Force in Rhode Island is designed to bring all available state and local enforcement agencies together to pressure owners of nuisance properties to address concerns. The partnership includes the Attorney General's office, local code enforcement, police, health officials and other agencies involved with the property. Property owners are given the option of addressing problems with the property or face prosecution and coordinated enforcement of pending violations.

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<sup>19</sup> J.M. Schilling, "The Revitalization of Vacant Properties, Where Broken Windows Meet Smart Growth," International City/County Management Association.

## CASE STUDY FOUR

### INCENTIVES AND SANCTIONS

**San Diego** San Diego has adopted a three-part strategy of incentives and sanctions. First, the Police Department administers a Landlord Training Program which provides landlords in high-crime areas with advice and assistance on how to prevent vandalism and other criminal activity in vacant units or structures. Second, the Neighborhood Code Compliance Department sends an Abatement Notice and Order to owners of vacant and unsecured structures. The owner has 30 days to submit a Statement of Intent which describes the expected period of vacancy, a plan for regular maintenance during that period, and a plan and timeline for the occupancy, rehabilitation or demolition of the structure. Incompliant owners are subject to fines and possible demolition of the structure by the city. Finally, owners of vacant properties are contacted by the city's Vacant and Abandoned Properties Coordinator who helps them find ways to rehabilitate or sell their properties. Assistance includes a self-help manual, a matching grants program, referrals about financial resources, real estate and contractor guidance, referrals to the county public administrator or pro bono attorneys for title and probate assistance, and volunteer demolition and rehabilitation expertise. Since the program began, the city has found that 90% of the cases it opens against owners are closed by voluntary compliance.

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## CASE STUDY FIVE

### PROPERTY MAINTENANCE

Some cities and towns have supplemented municipal maintenance work with volunteer efforts by community residents and local organizations.

**Community Caretaker Program** In Philadelphia, the Mayor's Office of Community Services is recruiting and training neighborhood volunteers to help with the ongoing upkeep of cleaned lots.

**"Blitz to Bloom"** In Richmond, city workers, supported by neighborhood residents, target specific neighborhoods for neighborhood maintenance and enforcement. In the summer of 1999, city workers hauled abandoned cars and trash from a targeted neighborhood, cited nearly three dozen buildings for code violations, trimmed trees, repaired sidewalks and fixed streetlights.

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## Step Five Create a Legal Framework for Sound Redevelopment

Municipalities that have developed strategic plans and are coordinating activities across local agencies need a set of clear and effective tools to fight property abandonment. The tools that are available to municipalities run the spectrum from prevention of abandonment, to the boarding and/or demolition of derelict buildings to the taking of vacant property by eminent domain, tax title or other techniques. If a municipality decides to use only one of the available approaches to dealing with the problem of abandoned property, it runs the risk of being ineffectual and of compounding the problem. For instance, if a municipality focuses on the tax title process and the process becomes too burdensome, vacant and abandoned properties will continue to blight neighborhoods resulting in lower property values, lost tax revenue, and the investment of time and resources to address health and safety concerns that often accompany abandoned property.

There are a number of state and municipal laws, regulations and programs that are available to communities to address the problem of vacant property. Some are relatively new, others have been on the books for years and never used, and some are unknown. These laws, regulations and programs come from a variety of areas; tax, environmental, building, minimum housing and redevelopment to name a few. Each gives certain rights and powers to a municipality, but to be most effective, these laws, regulations and programs should be woven into a comprehensive program that works to *prevent* abandonment before it happens; works to see abandoned properties *maintained* and returned to productive use; and, if all else fails, takes action to

*acquire* the abandoned properties for productive reuse. Whatever a municipality's vision, without a plan of attack, vacant and abandoned property can and will overwhelm a community.

### Preventing Property Abandonment

The simplest and least intrusive solution to abandoned property is to prevent it from being abandoned in the first place. There are a number of strategies cities and towns can adopt to help prevent property abandonment from occurring.

- **Identify at-risk properties.**

Up-to-date parcel-based information on tax delinquency, code enforcement, and other housing condition data could help cities and towns identify potential problems before owners give up on their properties and target appropriate resources to those owners.

- **Offer resources and technical assistance to owners of troubled properties.**

Providing owners with information about credit counseling agencies at the first sign of property tax delinquency can help prevent homeowners with short-term financial problems from becoming so far behind in payments that they are unable to recover. Local subsidized property rehabilitation programs, reverse mortgages, and other resources can also be utilized to help responsive property owners address problems with the condition and maintenance of their properties. Providing multi-family property owners with information and training on their rights and responsibilities as well as technical assistance in screening tenants can help prevent nuisance as well as vacant or abandoned properties. In their work with nuisance properties around the state, the Rhode Island Attorney General's Nuisance Task Force found that many property owners are not intentionally allowing their

<sup>20</sup> Accordino and Johnson, "Addressing the Vacant and Abandoned Property Problem."

<sup>21</sup> ICMA, "The Revitalization of Vacant Properties, Richmond, Virginia Case Study."



properties to decline, but have simply been overwhelmed by problems with tenants or housing costs. Cities and towns that lack the resources to provide this kind of technical assistance in-house should consider partnering with local nonprofit organizations.

• **Enforcing maintenance.**

There are times that the only option for a municipality is to force an owner to maintain their property. Through the Minimum Housing Code (RIGL 45-24.3) municipalities are charged with *‘...protect[ing] the public health, safety, and welfare by establishing minimum standards governing the condition and maintenance of all dwellings...[so that all] dwellings [are] safe, sanitary, and fit for human habitation...’* The law makes it clear that the owners are responsible for maintaining their property and gives municipalities the right to declare dwellings *‘...unfit for occupancy and condemned for human habitation; and fixing penalties for violations...’* In addition to the rights spelled out under the minimum housing code, twenty-one municipalities are enabled to create housing courts. Through a housing court, a community can call a property owner before a judge who can establish time frames for compliance and collect penalties.

Another option that a community has is to repair a derelict property, if it is unfit for habitation, and place a lien against the property to recover the cost (RIGL 23-27.3-125.7). This is a drastic option, however this approach ensures that the residents of the building are not living in a condition that threatens their health and safety. And through the lien process, a community is assured that they can collect the dollars that they have spent.

Finally, historically there has been difficulty enforcing minimum

housing standards in property where a tax title has been sold. This problem was resolved several years ago when state law was amended (RIGL 44-9-12) to close a loophole that allowed purchasers of tax titles to collect rents on the property after one year, but not become responsible for the maintenance of the property until they foreclosed the right of redemption. This provision provided an incentive to tax title purchasers to delay foreclosing the right of redemption, and continue to collect revenues from the rental property without investing in its maintenance or repair.

**Maintaining Abandoned Property**

Even when properties are abandoned, municipalities can take steps to reduce the negative influence on surrounding properties. A municipality is empowered to force maintenance of vacant property; to demolish the vacant property or to seek the appointment of a receiver to have the property repaired. Additionally, a municipality has certain powers under tax law to encourage reuse of the abandoned property. First, the community has the right to increase a vacant property’s tax bill for the privilege of keeping a property vacant. Second, a community is not permitted to abate property taxes on vacant property.

• **Keeping a property clean.**

Under local health regulations (RIGL 23-19.2), property owners are required to keep their property free of debris. Often abandoned and vacant properties become collectors of litter and trash. To minimize the negative impact of vacant property, municipalities are empowered to cite property owners who fail to maintain their property. If the owner fails to make improvements after being cited, the community may clean the property and place a lien against it for the cost of the clean up.

TABLE ONE

**SUMMARY OF RHODE ISLAND GENERAL LAWS ON PREVENTION OF ABANDONMENT**

**Title 23 Chapter 27.3 – 125.7 Lien for Emergency Repair** Under state building regulations, this law permits a municipality to repair, board or demolish a building and place a lien against the property. This lien has the same status as property tax and can be collected through the same mechanism as a tax lien.

**Housing Court – Local enabling legislation** Twenty-one communities have been enabled to establish municipal housing courts. In general, the powers of the housing courts are the same. The appeals from housing courts is taken to Superior Court except in North Providence, Providence and Pawtucket. In these communities appeals go directly to the Supreme Court. These courts are valuable tools in dealing with the problem of vacant properties.

- 45-2-45 – Bristol – Appeal to Superior Court
- 45-2-46 – Burrillville and North Smithfield – Appeal to Superior Court
- 45-2-49 – Burrillville – Appeal to Superior Court
- 45-2-27 – Central Falls – Appeal to Superior Court
- 45-2-32 – Charlestown – Appeal to Superior Court
- 45-2-24 – Coventry – Appeal to Superior Court
- 45-2-21 – Cranston – Appeal to Superior Court
- 45-2-44 – Cumberland – Appeal to Superior Court
- 45-2-48 – East Greenwich – Appeal to Superior Court
- 45-2-38 – East Providence – Appeal to Superior Court
- 45-2-37 – Middletown – Appeal to Superior Court
- 45-2-30 – Narragansett – Appeal to Superior Court
- 45-2-13 – Pawtucket – Appeal to Supreme Court
- 45-24.2-7 – Providence and North Providence – Appeal to Supreme Court
- 45-2-34 – Tiverton – Appeal to Superior Court
- 45-2-47 – Warren – Appeal to Superior Court
- 45-2-19 – Warwick – Appeal to Superior Court
- 45-2-29 – Westerly – Appeal to Superior Court
- 45-2-25 – Woonsocket – Appeal to Superior Court

**Title 45 Chapter 24.3 – Minimum Housing Code** This chapter protects the public health, safety, and welfare by establishing minimum standards to make dwellings safe, sanitary, and fit for human habitation. The chapter fixes responsibilities for maintenance on the owners of the dwellings and empowers a municipality to declare a dwelling unfit for occupancy and condemned for human habitation. The chapter also allows the assessment of penalties for violations of this chapter.

## CASE STUDY SIX

### RETURNING VACANT PROPERTIES TO PRODUCTIVE REUSE

**Baltimore** Under a Vacant House Receivership Law enacted locally in Baltimore, a community-based organization may join the city in a legal action against a vacant property with city code violations that are not being addressed by the owner. The court appoints a receiver that may improve the property to code standards and sell it, using the sales proceeds to repay improvement costs or sell the property “as-is” to a qualified buyer. A nonprofit organization, the Community Law Center, has assisted many community-based organizations through receivership in coordination with the city.

**Eminent Domain** Eminent domain has been used in other states to address the problem of vacant property. Maryland and Michigan have adopted “quick take” laws that allow for the speedy taking of abandoned property by eminent domain. Maryland’s statute allows taking by eminent domain of properties that are 1) unoccupied, uninhabitable and two years or more tax delinquent, 2) properties that are unfit for human habitation, and 3) vacant lots resulting from demolition regardless of whether or not they are in tax arrearage. Philadelphia is also pursuing legislation to utilize eminent domain to acquire 1) properties occupied by unauthorized persons, 2) vacant land encumbered by municipal demolition liens, and 3) properties with municipal liens in an amount of 150% or more of market value.<sup>25</sup> In Boston, the Dudley Street Neighborhood Association, working with the Boston Redevelopment Agency, has used the city’s eminent domain powers to carry out the Association’s plan.

**Michigan** A number of other states also allow for an expedited taking process for properties that have been abandoned. Michigan streamlined the tax title system in 1999. Genesee County and the City of Flint have taken an aggressive approach to utilizing this new tool. For more information see [www.co.genesee.mi.us/treasurer](http://www.co.genesee.mi.us/treasurer).

Utilizing this statute, Providence has developed a “Clean and Lien” program through which the city cites properties for violations and requires property owners to clean their properties. Owners who refuse are fined. If the owner does not pay the fine, the City may place an environmental lien against the property that takes first position, increasing the ability of the city to recapture money owed.

At the state level, the Department of Environmental Management can assist in addressing some problems typical on abandoned or neglected properties. State authorities come into play when a problem reaches a certain threshold level, such as over three cubic yards of tires or three cubic yards of solid waste. The State Refuse Disposal Act (RIGL 23-28.9) prohibits the disposal of greater than three cubic yards of solid waste at any location other than a licensed solid waste management facility. Disposal is defined broadly and includes depositing, casting, throwing, leaving or abandoning the waste material. The definition of solid waste is established in 23-18.9-7 and includes most commercial, non-hazardous wastes, garbage, leaf and yard waste, and construction and demolition debris. The statute exempts asphalt, tree stumps, and earthen materials, such as bricks and concrete. These materials would be considered solid waste if they are not segregated and were mixed with other materials, such as rebar, wood wastes, or shingles.

If a property is in violation, DEM can cite either the party that dumped the material or the owner of the property for operating a solid waste facility without a license. Most times the only identifiable party is the property owner. Violations of this statute can result in administrative penalties up to \$10,000 per day. There are also substantial criminal

penalties.<sup>22</sup> The Vehicle Tire Storage and Recycling Act (RIGL 23-63) prohibits the storage of more than 400 used vehicle tires at any location within the state without a license from DEM.<sup>23</sup> Any person who violates the provisions of the Vehicle Tire Storage and Recycling Act may be fined up to one thousand dollars (\$1,000) per occurrence.

#### • Keeping a vacant property secure.

Cities and towns have a responsibility to ensure that vacant and abandoned properties are secure and do not pose a health or safety risk (RIGL 23-27.3-125.7) to neighbors. Under state law, municipalities have the power to repair, board and demolish property that presents a threat to the health and safety of residents. It is unlikely that a community would repair a vacant property. The boarding and demolition of property should be the first step in reuse of a property. Municipalities must realize that if the problem is not quickly corrected more problems will follow.

#### • Returning a Vacant Property to Productive Use Through a Receiver.

The Abandoned Properties Act (RIGL 34-44) allows a court to appoint a receiver to rehabilitate a vacant property. In theory, a receiver takes over an abandoned property, makes the necessary improvements to return the property to productive use, and eventually sells the property to a new owner. This law needs to be studied further to determine if it can work in Rhode Island. If the study identifies flaws with the law, they should be fixed because the approach is sound.

#### • Returning a Vacant Property to Productive Use Through Taxation.

There are two laws in Rhode Island that recognize the negative impact that vacant and abandoned prop-

<sup>22</sup> Definitions, operation requirements and other provisions for implementing the Refuse Disposal Act are addressed in the DEM Rules and Regulations for Composting Facilities and Solid Waste Management Facilities.

<sup>23</sup> Definitions, operation requirements and

other provisions for implementing the Vehicle Tire Storage and Recycling Act are addressed in Regulation 5, Waste Tire Storage and Recycling Facilities, in the DEM Rules and Regulations for Composting Facilities and Solid Waste Management Facilities.

<sup>24</sup> Kromer, “Vacant Property Policy and Practice: Baltimore and Philadelphia.”

<sup>25</sup> Kromer, “Vacant Property Policy and Practice: Baltimore and Philadelphia.”

<sup>26</sup> Shilling, “The Revitalization of Vacant Properties, Where Broken Windows Meet Smart Growth.”

erty have on a community. The first is the Real Estate Non Utilization Tax (RIGL 44-5.1). This law allows a municipality to place an additional tax on a property for the privilege of keeping the property vacant. The tax that can be levied under the non utilization law is \$10 per hundred dollars of assessed value. A property assessed at \$100,000 could have an additional tax of \$10,000 charged for the privilege of keeping the property vacant. The second law prohibits the abatement of property taxes on uninhabited property. This law is important for communities to understand if they hope to develop a neighborhood revitalization program using tax policy.

• **Returning Vacant Property to Productive Use Through Acquisition.**

Often you can't do anything with an abandoned property because you don't know who owns it. There is a name on the tax record, but that individual can't be found. The property may have been sold at tax sale, but only a percentage of the tax title may have been acquired. There may be a mortgage. There could be a variety of liens. No one will invest in this property until the title is cleared. As a result, any plan to address the problem of vacant and abandoned property must include a plan to clear title and acquire property. There are several options open to municipalities. They are:

• **Acquisition Through Tax Title.**

The sale of tax titles (RIGL 44-9) is permitted so that a community can raise the tax dollars that are owed by a person who fails to pay the property tax. Municipalities view this law as a way to collect unpaid taxes. But changes in the law allow a city or town to take the tax title to achieve redevelopment. In fact, the law not only allows the taking of the tax title for nonpayment after proper notice (RIGL 44-9-8.1) but also allows an expedited foreclosure of the tax title

(RIGL 44-9-25.2) if the property is abandoned.

Other changes in state law give municipal environmental (RIGL 23-19.2-6), boarding and demolition (RIGL 23-27.3-125.7) liens the same status as unpaid property taxes. By giving environmental, boarding and demolition liens the same status as property taxes, communities have been given the powers to address vacant property through taxation. By allowing the taking of tax title to carry out redevelopment and to foreclose tax title in an expedited manner, the state has given communities power to address the problem of vacant properties. Through this power, communities may use tax law to cause neighborhood revitalization.

TABLE TWO

**SUMMARY OF RHODE ISLAND GENERAL LAWS ON PROPERTY MAINTENANCE**

**Title 23-19.2-6 Removal of Refuse, solid waste or filth** Under local health regulations, this law permits a municipality to clean up a public nuisance and place a lien against the property. This environmental lien has the same status as property tax and can be collected through the same mechanism as a tax lien.

**Title 23 Chapter 27.3 – 125.7 Lien for Emergency Repair** Under state building regulations, this law permits a municipality to repair, board or demolish a building and place a lien against the property. This lien has the same status as property tax and can be collected through the same mechanism as a tax lien.

**Title 34 Chapter 44 – The Abandoned Properties Act** This law permits the courts to appoint a receiver to rehabilitate an abandoned property. In one attempt to use this law, it became apparent that the eventual sale of the property would not cover the cost of rehabilitating the building. Additionally, no institution was willing to make loans or grants available to a receiver for a building that could be returned to the original owner or could not demonstrate the ability to repay the borrowed amounts. This law needs to be reviewed in light of today's real estate market to determine if the rehabilitation and sale of abandoned property through use of this act is viable. Additionally, funders and potential receivers need to discuss whether a funding program can be developed that insures that slum property owners will not be enriched and that eventual owners will not be strapped with excessive debt.

**Title 44 Chapter 5.1 – Real Estate Non Utilization Tax** This law permits a community to impose an additional tax on a vacant property. To implement this law, a community is required to adopt an implementing ordinance [44-5.1-3 (h)]. Several communities now use this tax. This tax penalizes an owner for keeping a property vacant.

**Title 44 Chapter 7-23 – Exemption on uninhabited property** This law forbids the abatement of taxes on uninhabited property. If a community develops a program to use tax policy for neighborhood revitalization, the community must be aware that this law prohibits the abatement of taxes unless the property is subject to eminent domain. NOTE: RIGL 44-5.1-3(h) (4) permits the abatement of the non-utilization tax.

TABLE THREE

SUMMARY OF RHODE ISLAND GENERAL LAWS  
FOR ACQUISITION OF VACANT PROPERTY**Title 44 Chapter 9 Tax Sales –**

• **44-9-8.1 – Taking for taxes** A municipality has the right to take a tax title for the non-payment of taxes, after a fourteen day notice, any property that is necessary for redevelopment, revitalization or municipal purposes. This section of the law works in conjunction with redevelopment law (RIGL 45-31 and 45-32).

• **44-9-25.2 – Foreclosure of the rights of redemption on account of constructive abandonment**

If a municipality owns a tax title to an abandoned property, this law permits a municipality to foreclose the right of redemption after thirty (30) days. It must be noted that while the law says thirty days the actual legal process is longer.

**Title 45 Chapter 31 – Redevelopment Agencies****Title 45 Chapter 31.1 – Redevelopment Code Enforcement****Title 45 Chapter 32 – Redevelopment Projects**

These laws permit municipalities to establish redevelopment agencies and to carry out redevelopment projects. The powers of redevelopment give great flexibility for a community to deal with the issues of abandoned property.

**Title 45 Chapter 44 – The Homestead Program** This law allows a municipality to establish a homestead program, to accept gifts of property that need rehabilitation and to dispose of the property to individuals who will rehabilitate it. A municipal redevelopment agency has the same powers.

The tax title process can be confusing, expensive and time consuming for municipalities, property owners, and private and non-profit developers. Utilizing the tax title process to acquire tax delinquent property can take almost two years, assuming there are no problems with the tax title or potential barriers such as an owner exercising his/her right to redemption or filing for bankruptcy. Municipalities can speed the tax title process by ensuring that information on property owners is accurate and current. In 1999 Arizona adopted the Slumlord Abatement Law, which, among other things, requires registration of all rental property with county assessors.<sup>27</sup> CHAPA's *Back on the Roll* report urges municipalities to adopt an Affidavit of Address.

• **Acquisition Through Eminent Domain.**

Rhode Island law creates in every community a redevelopment agency, but not every community has used the power. Through the eminent domain process a municipality may acquire any property that is deemed necessary to carry out a legally adopted redevelopment plan. While the eminent domain process is straightforward and can clear title for abandoned land quickly, the cost associated with eminent domain can be a draw back.

Redevelopment law is the only land use law that has not been updated in Rhode Island. Given the potential benefits to municipalities to reuse vacant and abandoned property it may be time to rewrite redevelopment law incorporating many of the advanced techniques being used around the country.

• **Acquisition of Vacant Property Through Gift and other Options.**

There are a number of other ways that a municipality can acquire vacant property; a community just

needs to think creatively. The Homestead Program (RIGL 45-44) empowers a community to accept a vacant property as a gift and to dispose of the property to an individual who will rehabilitate it. If a community chooses to use this law, they will have to examine the powers granted by this law in light of the municipal charter.

Alternatives to municipalities pursuing a taking by tax title, eminent domain, or accepting the gift of the property include tapping local Community Development Corporations or other organizations to carry out administrative requirements. This approach would relieve cities and towns of the administrative burden of the various approaches while engaging organizations that are committed to the return of the property to productive use.

These state laws and best practices adopted by cities and towns in Rhode Island and throughout the country, create opportunities to prevent property abandonment, adequately maintain properties that are abandoned, expedite the tax title process, and utilize alternatives to the tax title process to acquire and redevelop vacant and abandoned property. What has been learned through reviewing the existing laws, regulations and programs is that by understanding the powers that are granted, a community can develop a fairly comprehensive program to effect change with little cost. This is not to say that changes to the existing laws or that new powers aren't needed. Each municipality needs to determine what they believe are the strengths and weaknesses of these laws and determine how they can best use them. And if it is determined that change is needed, new legislation should be pursued. But communities should not wait for changes; the power exists now to have an impact on vacant property.



## Recommendations for State Action

### • Create a uniform definition of abandoned property.

There is no uniformity among the state laws on what is abandoned. The definitions were all developed at different times and to address a particular issue that the law was addressing. The Vacant and Abandoned Property Task Force should examine these definitions and determine if there should be a uniform definition or if each law has particular foibles that require its own definition. (See the definitions in: RIGL 44-5.1 – Real Estate Non-utilization Tax, RIGL 44-7-23 – Exemption on uninhabited property, RIGL 44-9 – Tax Sales, RIGL 45-32 – Redevelopment Projects, and RIGL 45-44 – The Homestead Program.)

### • Establish a Legislative Commission.

The General Assembly should establish a Legislative Commission, that would include the Vacant and Abandoned Property Task Force, to examine the issue of vacant and abandoned property and consider legislation to;

#### 1. Standardize enabling legislation for Housing Courts.

All communities should be enabled to have housing courts. The law should be revised to give the same powers and the same appeal process for all communities.

#### 2. Revise the Redevelopment Laws.

The redevelopment laws in Rhode Island have not been revised in over thirty years. The laws should be updated and new powers should be granted to encourage the reuse of vacant and abandoned property.

## Step Six Create Marketable Opportunities

Many communities are reluctant to take title to vacant or abandoned property. Some are concerned that the properties will continue to languish under municipal ownership and that by taking title, the local government will only gain the burden of maintaining the properties and the risk of liability. An effective packaging and marketing strategy can address these concerns by transforming problem properties into assets for cities and towns.

The “*Seizing City Assets*” report and a review of national models point to several elements of an effective marketing strategy. First, there must be a mechanism for bundling individual parcels into a more attractive package. Next, the municipality should be prepared to do some site work where feasible. This could involve anything from the demolition of deteriorating structures to environmental remediation. Third, zoning should be appropriate for the redevelopment of the targeted properties. Finally, local governments should have a strategy for marketing these properties to potential investors.<sup>28</sup>

### Assembling Vacant and Abandoned Property.

One effective tool for assembling abandoned properties is a land bank or redevelopment authority. These entities may be given authority to hold tax-title properties, assemble adjacent properties for redevelopment, and serve as one-stop centers for developers interested in acquiring and investing in the redevelopment of these properties. As described earlier, Rhode Island law permits any city or town to establish a redevelopment authority with the same authority to hold and take title to vacant and abandoned property as the municipality. Rhode Island Housing and Mortgage Finance

Corporation also has a Land Bank program which may be used to purchase and hold properties targeted for redevelopment as affordable housing. Because these entities are tax-exempt, properties transferred to them do not continue to accrue taxes while awaiting redevelopment. The most effective vacant and abandoned property Land Banks or Redevelopment Authorities are not used simply to hold tax title properties, but also to conduct targeted market analysis, strategically plan for land assembly and, where necessary, use the powers of eminent domain or other statutory tools outlined in this report to create larger, more marketable parcels.



CENTRAL FALLS  
GROW SMART RHODE ISLAND

<sup>27</sup> Elise Labott, “Slum Offensive,” *Governing Magazine*, July, 2000.  
<sup>28</sup> Brophy and Vey, “*Seizing City Assets: Ten Steps to Urban Land Reform*.”

## CASE STUDY SEVEN

### LAND BANKS

**Atlanta Land Bank** In 1991 Fulton County Georgia and the City of Atlanta created a Land Bank Authority (LBA) charged with putting the region's abandoned property back into productive use. The LBA was given the power to forgive delinquent property taxes. Private or non-profit developers are required to submit an application to the LBA, and if the project meets certain criteria, delinquent taxes are waived. The LBA facilitates the redevelopment of affordable single and multi-family housing, commercial projects, parks, gardens and recreation centers. To date over 900 housing units have been built on land secured with the help of the LBA, and nearly 240 more are under construction.

**Cleveland Land Bank** The state of Ohio passed legislation in 1975 giving Counties the power to foreclose on delinquent taxpayers after only two consecutive missed payments. Taking advantage of this legislative tool, city-owned vacant land in Cleveland is deposited in the Cleveland Land Bank Authority. Anyone with approved plans for new construction can withdraw a parcel for \$100 in three to nine months. The city has coupled this streamlined process with targeted private and public investments in the redevelopment of blighted properties. The mayor got the city's biggest banks to commit \$3 billion to neighborhood investments, including low-interest home loans to individuals, and private foundations have joined in by supporting the work of community-development groups building affordable housing.

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### Zoning

As communities identify vacant and abandoned property, they need to determine if the property can be reused as zoned. It is possible that the property was abandoned, in part because it no longer had a viable use under zoning. To increase the attractiveness of targeted properties and influence the type of development that occurs there, municipalities should ensure that the zoning of tax-title properties is appropriate to attract the type of development they would like to encourage. Where necessary, communities should update their comprehensive plan to reflect these zoning changes.

### Marketing Strategies

An effective Land Banking strategy can itself be an effective marketing tool for vacant and abandoned property by creating a one-stop center for the listing, assembly, packaging, and disposal of tax title property. There are other steps communities around the country are taking to turn vacant and abandoned "liabilities" into marketable assets. One option is to tap the private real estate markets to list tax title properties. The City of Baltimore and the Greater Baltimore Board of Realtors are in the process of establishing a partnership where realtors will list selected city-owned vacant houses for sale in as-is condition. The Board of Realtors will complete an exterior inspection and prepare a summary of the anticipated market potential of each house chosen for the program. These properties will then be bundled into groups of 4-6 and advertised for competitive bids from realtors seeking to list these houses for sale. This approach will only be effective in relatively strong real estate markets where the cost to purchase and rehabilitate a property does not exceed its end value.<sup>31</sup>

Another approach that has been taken in many states, including Rhode Island, is to create a set of incentives for homebuyers or developers who purchase tax title property. In Rhode Island, the City of Providence adopted a \$1 per lot program in response to recommendations of its vacant and abandoned property task force. This program allows residents and community groups to purchase vacant land in their neighborhood for \$1 regardless of the size of the lot. Individuals or organizations that meet the basic criteria of the program must describe the planned use for the property and usually the lots will go before the City Council for abatement of back taxes.<sup>32</sup>

Another recent change that will make redeveloping vacant multi-family, commercial and industrial properties easier in Rhode Island is the new rehabilitation code, modeled on the New Jersey statute that gives developers greater flexibility in meeting fire and safety codes when rehabilitating older buildings. This more flexible code can be a strong selling point for developers who would face prohibitive costs bringing older abandoned property in the state up to current code requirements.

Another recently adopted incentive for the redevelopment of vacant properties involves brownfields. Brownfields are vacant or underused industrial and commercial properties where environmental contaminants may exist. In the 2002 General Assembly session, legislation was passed that brings existing state law concerning brownfields into line with new Federal brownfields legislation, and mandates that the Rhode Island Economic Development Corporation and the Department of Environmental Management research and make recommendations on environmental insurance, a Licensed Environmental Professional Program, and maintenance of a brownfields inventory. Unfortunately, a proposed state income tax credit for a portion of the cost of assessment and remediation of brownfields sites was dropped from the legislation.

Other state and city strategies provide a variety of financial or regulatory incentives to lure new homeowners, residential, or commercial developers to municipally owned properties. Examples include;

- **St. Paul, Minnesota, Houses to Homes Program.**

Subsidizes up to \$40,000 of rehabilitation costs of vacant single-family houses that are sold to low to moderate income persons.

<sup>29</sup> Brophy and Vey, "Seizing City Assets: Ten Steps to Urban Land Reform."

<sup>30</sup> The Philadelphia Inquirer, "Cleveland Revives Blighted Neighborhoods by Easing Bureaucracy on Vacant Land," December 3, 2001.

<sup>31</sup> John Kromer, Vacant-Property Policy and Practice: Baltimore and Philadelphia, prepared for The Brookings Institution Center on Urban and Metropolitan Policy and CEOs for Cities, October 2002.

<sup>32</sup> Ana Baptista, Vacant and Abandoned Property Report, Brown University.



- **Nashville, Tennessee Urban Homesteading Program.**

Offers vacant lots to persons willing to build and live in the residences for at least seven years.

- **Detroit, Michigan.**

Gives abandoned houses to persons who repair and live in them for at least three years.

- **Thousand Oaks, California.**

Provides financial assistance to first time homebuyers purchasing property through tax sale.<sup>33</sup>

- **Philadelphia, Pennsylvania Keystone Opportunity Zone (KOZ).**

Companies moving into designated areas are exempt from city and state business taxes until 2011. Properties selected for KOZ designation, which must be authorized by local legislation and approved by the state, consist of real estate that is currently vacant and generating no taxes to the city or state. Many KOZs are obsolete industrial buildings or cleared industrial sites. No residentially-zoned parcels have been designated although state legislation permits it.<sup>34</sup>

## Recommendations for State Action

- **Explore partnering with realtors, banks, and nonprofits to help market municipally-owned property.**

The Vacant and Abandoned Property Task Force should work with the Rhode Island Realtors Association and banks in the state to explore possible partnerships to better market and finance the redevelopment of vacant and abandoned property. Possibilities might include posting city-owned properties on the realtors web-page, [www.riliving.com](http://www.riliving.com), marketing these properties to potential investors through financial institutions, or developing financing tools like low-interest loans or flexible repayment options to make these properties more attractive. CDCs are already playing a critical role in restoring abandoned properties in commu-

nities around the state. These non-profits should have the first opportunity to take on properties that are not likely candidates for private redevelopment.

## Recommendations for Municipal Action

- **Make more effective use of state and local land-banking opportunities.**

Cities and towns that have existing Land Banks or Redevelopment Authorities should consider reorganizing their tax title procedures to coordinate the assembly, packaging, and marketing of city-owned properties through these entities. Municipalities that are not interested in establishing a Land Bank or Redevelopment Authority should work with Rhode Island Housing to determine if city-owned property could be effectively managed through its statewide Land Bank program.

- **Build strong partnerships with local or regional non-profit housing developers to assist in the redevelopment of problem properties.**

## Step Seven Finance Redevelopment

Even with a clear and expedited tax title process, and effective marketing program, some properties will require a greater investment to develop than can be expected to be generated by the revitalized property. For instance, affordable housing development usually requires a significant subsidy since the rent or mortgage that can be charged is limited by affordability restrictions. Preservation of historic properties or conversion of old mill space for new uses including housing or mixed-use developments, are also capital intensive projects that might require some kind of subsidy to make feasible.

Rhode Island has a number of programs which can help bridge this financing gap and make the redevelopment of vacant and abandoned buildings not only possible, but attractive to potential developers. Some of these programs are highlighted below.

- **Rhode Island Historic Preservation Investment Tax Credit.**

This is one of the state's newest tools to assist in the redevelopment of historic properties. Owners of historic income-producing buildings can qualify for a credit equal to 30% of the cost of approved rehabilitation work. To qualify, the project must cost at least as much as half the value of the building. The credit can be used by the owner or sold to another individual or corporation. To be eligible for the credit a property must be on the National Register of Historic Places, located within a National Register Historic District and contribute to the district's significance, or be part of a local historic district. The state tax credits may be combined with federal tax credits for historic preservation and housing. Application for the credit is made through the Rhode Island Historical Preservation & Heritage Commission which issues final certifications.

- **Federal Historic Preservation Tax Incentives.**

The federal government also offers a tax credit for the preservation of historic, income-producing buildings equal to 20 percent of rehabilitation costs where total costs exceed the greater of the adjusted basis of the building or \$5,000 within a 24 month period. Historic properties must be listed in the National Register of Historic Places as individual structures or included in historic districts. Application for the credit is made through the Rhode Island Historical Preservation & Heritage Commission; final certifications

<sup>33</sup> John Accordino and Gary T. Johnson, Addressing the Vacant and Abandoned Property Problem, *Journal of Urban Affairs*, Volume 22, Number 3, pages 301-315, 2000.

<sup>34</sup> Kromer, "Vacant-Property Policy and Practice: Baltimore and Philadelphia," 2002

are issued by the National Park Service. There is also a 10% tax credit available for non-residential sites constructed prior to 1936. This credit does not require a listing on the National Register of Historic Places or a certification of rehabilitation from the RI Historic Preservation and Heritage Commission.



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#### • **Historic Homeownership Tax Credit.**

Owners of historic houses can qualify for a credit on their Rhode Island state income tax equal to 20 percent of the cost of exterior restoration work. There is no maximum credit limit, but no more than \$2,000 in credits may be claimed per year. Owner occupied houses listed on the National Register of Historic Places and houses in local historic districts are eligible. Work must meet the historic preservation standards adopted by the Secretary of the United States Department of the Interior. A tax credit is not allowed for interior work, new construction, landscaping, outbuildings, or modern replacement windows.

#### • **Low Income Housing Tax Credit Program (LIHTC).**

The LIHTC is a federal program administered in Rhode Island by Rhode Island Housing and Mortgage Finance Corporation. Each year Rhode Island Housing is allocated approximately \$2 million in low-income housing tax credits by the Federal Government. These tax credits are, in turn, allocated to competing developers who will create quality affordable rental housing. The tax credits enable developers to raise additional equity for their developments.

#### • **HOME/CDBG.**

The HOME and Community Development Block Grant Programs (CDBG) are federal block grants which are distributed at the state or local level for eligible activities which benefit low to moderate income people. Rhode Island Housing administers the state HOME program and there are also three HOME entitlement communities in the state (Providence, Pawtucket and Woonsocket). The statewide CDBG program is administered by the Office of Municipal Affairs in the Rhode Island Department of Administration. There are also six CDBG entitlement communities in the state (Cranston, East Providence, Pawtucket, Providence, Warwick and Woonsocket) which receive funds directly from HUD.

#### • **Lead Remediation.**

Rhode Island Housing Mortgage and Finance Corporation operates a statewide Lead Hazard Reduction Program which provides deferred, low-interest loans to help property owners address lead paint hazards. To participate, there must also be at least one child under the age of six living in the property or visiting regularly. The property must have been built before 1978, test positively for lead and have no building code violations other than those that relate to lead. If you're a landlord, the rent you charge cannot exceed HUD's Fair Market Rents and you may own no more than 12 units. Homeowners can earn no more than 115% of HUD's median family income for their community and household size. Eligible repairs include replacing windows, removing lead-contaminated soil and exterior and interior painting.

#### • **Brownfields.**

Brownfields tools are available primarily for commercial sites where actual or suspected contamination is a barrier to reuse. Until they are cleaned up these sites

burden local economies and present environmental and public health threats. Parties interested in cleaning up and reusing brownfields in Rhode Island can work with the State Department of Environmental Management (DEM) and the Rhode Island Economic Development Corporation (EDC) to structure and implement an effective plan to bring the property back to productive use. The EDC can provide assistance to clean up abandoned or underutilized industrial or commercial properties. The State has been awarded over \$1,000,000 in EPA grants for a Revolving Loan Fund administered by EDC, to implement low interest loans for site restoration. Target areas for brownfields clean up and redevelopment are the urban communities within the State. DEM is the regulatory agency that oversees the investigation and cleanup of contaminated properties, including brownfields sites. This is done mainly under the authority of the Industrial Property Remediation and Reuse Act (RIGL 23-19.14) and the *Rules and Regulations for the Investigation and Remediation of Hazardous Material Releases*. These regulations define the necessary steps to investigate a property and define different cleanup standards depending on the future use of the site and the classification of the groundwater under the property. The statute also allows project sponsors who follow the regulations to protect themselves from liability associated with the prior known contamination through a Settlement Agreement, which includes a Covenant Not to Sue. The DEM's brownfields efforts are mainly divided into two components; a reactive component where the DEM reviews and responds to proposals by parties involved in the property transaction and a proactive component where the DEM has a limited ability to use federal funds to assess properties that may have future redevelopment

ment potential. Municipalities and other parties can nominate properties for these investigations, which are called Targeted Brownfields Assessments and have an estimated in-kind value of \$75,000. There are a host of other Federal resources that the state and municipalities could tap to help redevelop vacant and abandoned properties on brownfields sites. These resources include EPA's Assessment Grant Program (up to \$200,000 for environmental assessments of brownfields sites contaminated with hazardous substances or petroleum), Cleanup Grant Program (grants of up to \$200,000 per brownfields site to clean up hazardous substances or petroleum), and HUD's Brownfields Economic Development Initiative (grants of up to \$3 million for the cleanup and redevelopment of brownfields sites with a matching Section 108 Loan Guarantee).

- **Tax Incremental Financing (RIGL 45-33.3).**

This law creates a mechanism whereby a community can bond against the future tax dollars to be realized as a result of a project. This mechanism could be used to raise dollars for addressing the abandoned property in a community.

- **New Market Tax Credits.**

The New Markets Tax Credit (NMTC) Program is a Federal Tax Credit program administered by the Treasury Department. The program permits taxpayers to receive a credit against Federal income taxes for making qualified equity investments in designated Community Development Entities (CDEs). Substantially all of the qualified equity investment must in turn be used by the CDE to provide investments in low-income communities. The credit provided to the investor totals 39% of the cost of the investment and is claimed over a seven-year credit

allowance period. In each of the first three years, the investor receives a credit equal to five percent of the total amount paid for the stock or capital interest at the time of purchase. For the final four years, the value of the credit is six percent annually. Investors may not redeem their investments in CDEs prior to the conclusion of the seven-year period. Allocation of the credits is competitive. In March, 2003, the Treasury Department announced the first \$2.5 billion allocation of the NMTC to 66 organizations. Rhode Island did not receive an allocation, however a number of intermediary organizations that work in the state, including LISC, did receive tax credits. Examples of expected projects include small business financing, improved community facilities, and increased homeownership opportunities. [www.cdfifund.gov/programs/nmtc/index.asp](http://www.cdfifund.gov/programs/nmtc/index.asp)

## Recommendations for State Action

- **Legislation should be passed that provides financial incentives for the redevelopment of vacant and abandoned property including;**

1. A state income tax credit equal to 30% of the costs of assessment and remediation of a brownfields site;
2. An Urban Renaissance Fund to provide resources for activities like assessment of abandoned industrial sites, brownfields insurance for developers, urban land assembly, and rehabilitation of vacant and abandoned properties.

- **Implement a state "Growth Centers" program.**

In its recent "Growth Centers" report, the Governor's Growth Planning Council recommended that the state target funding and other resources to locally determined Growth Centers. The Governor is encouraged to direct

## CASE STUDY EIGHT

### FINANCING REDEVELOPMENT

#### Chicago's Tax Increment Financing (TIF) Program

Legislation passed in Illinois in 1977 and expanded in 1985 forms the basis of Chicago's TIF. More than \$2 billion in public-private investments have been made in TIF districts in the city, which have helped to create or retain more than 28,000 permanent jobs. A public investment of \$272 million has generated \$1.7 billion in private investments. TIF funds were used for the streets, sewers, water service and other infrastructure requirements of the Central Station Loop project that converted a large area of abandoned rail yards into a thriving neighborhood of condominiums and townhouses.

#### Richmond's Neighborhoods in Bloom Program

Richmond, VA invested \$7 million per year from its CDBG and HOME funds to support the rehabilitation efforts in the Neighborhoods in Bloom impact areas. The city also strategically targeted its HOPE VI projects to revitalize public housing projects within one of the designated Neighborhoods in Bloom neighborhoods.

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the Office of Statewide Planning to begin the process of working with cities and towns to identify local growth centers.

- **The Economic Development Corporation should examine the New Market Tax Credits program as a potential new tool to revitalize vacant and abandoned property and attract new businesses.**

<sup>35</sup> Brophy and Vey, "Seizing City Assets: Ten Steps to Urban Land Reform," 2002.

<sup>36</sup> J.M. Schilling, "The Revitalization of Vacant Properties, Where Broken Windows Meet Smart Growth."

## Step Eight Build on Natural and Historic Assets

Rhode Island is blessed with an abundance of older neighborhoods that include a rich diversity of architecture and design — a sense of character that is impossible to reproduce. It is this “quality of place” that forms the basis of the Rhode Island Economic Policy Council’s recent work to develop strategies for the economic revitalization of Rhode Island’s older urban areas. Many of these older cities and towns list among their potential assets old mills, many of them vacant or under-utilized, river-front property, and largely intact historic neighborhoods. By restoring these existing areas, municipalities can attract a new generation of businesses, customers, and residents that appreciate the authenticity of



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DEVELOPMENT CORPORATION

these traditional communities. Providence’s Benefit Street and the river re-location project in the downtown area are two local examples of how the restoration of a city’s existing assets can transform areas of blight into centers of economic activity. In historic neighborhoods on the west side of Providence like Elmwood more than 1,000 housing units have been rehabilitated in historic buildings using tax credits and housing funds preserving affordable housing stock and helping to revitalize urban neighborhoods. Constitution Hill in Woonsocket is another example of an older urban neighborhood transformed by an investment in the existing housing stock. Utilizing funding through the Low Income Housing Tax Credit program and other state and federal housing resources,

the local Community Development Corporation, Woonsocket Neighborhood Development Corporation, transformed 44 dilapidated apartments into quality housing affordable to the areas working residents. The CDC also purchased a notorious bar in the middle of the neighborhood and transformed it into a community center. Since that time another 46 units of housing have been rehabilitated at a cost of over \$3 million, and Constitution Hill is once again a safe and attractive neighborhood. Historic mill villages were built originally to house workers affordably, and recently projects in Westerly, Lincoln and Cumberland, have rehabilitated historic workers housing for continued use in a pleasant village setting.

### Recommendations for State Action

- **If tax policies are adopted to encourage investment in targeted areas, those policies should promote rehabilitation and reuse of existing properties rather than new construction.**

In 2002 the General Assembly passed legislation creating a Municipal Economic Development Zone in West Warwick’s Arctic neighborhood. Businesses in the zone are exempt from 50% of the current state sales tax, but only if they locate in newly constructed buildings. This requirement provides an incentive for the demolition of existing buildings in the area rather than using these existing properties as the basis for a revitalized neighborhood center. The General Assembly should modify this law to encourage redevelopment of existing properties and, in consideration of any future tax investment strategies, include incentives for communities to rehabilitate rather than demolish and rebuild established neighborhoods.

- **The Economic Development Corporation should actively market vacant and abandoned commercial and industrial spaces throughout the state.**

Rhode Island has many vacant and underutilized mills and other historic commercial and industrial properties that could be made attractive to businesses interested in the character and locations these buildings can offer. There are also numerous state and local financial incentives for rehabilitating these properties, as discussed in the previous section. By developing a comprehensive list of these properties and the programs available to assist in their redevelopment, actively partnering with communities to implement local redevelopment plans, and marketing targeted properties to businesses, the EDC would help put properties back on the tax rolls and create jobs in established communities.

- **The Vacant and Abandoned Property Task Force should ensure that training and education on revised codes is available to promote effective use of this new tool.**

### Recommendations for Municipal Action

- **Cities and towns should place a priority on the preservation and rehabilitation of existing properties when developing their comprehensive plans and redevelopment strategies.**

As stated earlier, zoning in these areas should promote potential reuse rather than reflecting past development patterns — for instance mills could be re-zoned to accommodate mixed use or residential development, downtown areas could be zoned for mixed uses as well as commercial development.



## **Step Nine Be Sensitive to Gentrification and Relocation Issues**

Although it can be hard for some municipalities to imagine gentrification as a problem in areas of blight and abandonment, a successful redevelopment effort can lead to market conditions which price low and moderate income residents out of the area. Benefit Street in Providence is an example of a redevelopment effort which was very successful in restoring the area's historic character and economic activity on the city's East Side, but which has also resulted in housing prices which are out of reach for most of the city's residents. Communities should plan ahead to ensure that redeveloped areas continue to include a healthy mix of housing options including homeownership and rental, high-end as well as affordable housing.

When municipal redevelopment agencies package vacant and abandoned properties for redevelopment, occupied properties on adjacent lots may also be impacted. In redeveloping occupied properties, municipalities must make every effort to provide good quality, affordable housing options in the neighborhood for displaced residents. Especially in Rhode Island's current housing crisis, finding affordable housing can be a major challenge to lower-income renters. As the state's principle affordable housing developers, CDCs can play a critical role in assisting municipalities with both of these issues. Communities should actively partner with local CDCs to expedite the redevelopment of appropriate city-owned properties as permanently affordable housing.

One option is for municipalities to require developers who demolish housing units to either build replacement units or contribute to a housing trust fund. Seattle,

Toronto, Somerville, Mass., and Burlington, VT have adopted such housing preservation and replacement ordinances. In addition to helping ensure a healthy mix of housing, these requirements can also bring private resources to bear on helping communities achieve the 10% affordable housing requirement under the state's Low and Moderate Income Housing Act.

### **Recommendations for Municipal Action**

- **Adopt housing preservation and replacement ordinances to ensure that housing units destroyed in redevelopment efforts are replaced.**
- **Municipalities should build strong partnerships with local or regional non-profit housing developers.**

A range of opportunities exist for local governments to work with CDCs to eliminate blight while providing opportunities for affordable housing including: providing operating support, targeting redevelopment resources like HOME or CDBG, and providing tax abatement, expedited transfer, and technical assistance to CDCs developing city-owned vacant lots.

### **Step Ten Organize for Success**

- A final point raised in the "Seizing City Assets" report and also stressed in CHAPA's recent "Back on the Rolls" report is the need for political leadership on the issue of vacant and abandoned property. Strategies to address vacant and abandoned properties will not be successful unless the community's top elected officials take the lead in making the issue a priority, and establishing a comprehensive strategy to address it that involves all relevant municipal offices as well as private and non-profit partners in the community. As our informal survey illustrated, many

## **CASE STUDY NINE**

### **HOUSING PRESERVATION AND REPLACEMENT ORDINANCES**

**Burlington** Burlington's housing preservation and replacement ordinance was adopted in the early 1990s, when it faced a housing crisis similar to Rhode Island's. The Burlington ordinance requires developers to replace any housing destroyed during construction. They may build new housing elsewhere in the city or contribute to Burlington's housing trust fund. The replacement cost of each unit is determined on a case-by-case basis. Developers also may hire a private contractor to do the work, or make a contribution to a nonprofit agency that develops affordable housing. They also may convert market-rate housing to affordable housing or convert existing commercial property to residential housing.

municipal leaders in Rhode Island do not consider vacant and abandoned properties to be a priority. Certainly, these properties are most concentrated in older, urban neighborhoods. However, even our more rural and suburban communities have pockets of blight and many also have vacant or underutilized commercial and mill space. The best approach to the vacant and abandoned property problem may be different for each of these communities, but all would benefit from a process established by the municipal leadership and coordinated through all municipal offices that establishes a clear and consistent policy for dealing with tax delinquent, vacant, or abandoned property. Even in communities with a relatively small number of abandoned properties, this strategy can increase property values, encourage neighborhood revitalization, attract economic development and preserve the characteristics that make these communities unique.

## Conclusion



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While we found that many steps need to be taken to establish effective strategies for addressing vacant and abandoned properties in Rhode Island's cities and towns, the statutory tools for doing so appear to already be in place in large part. At the state level, the key steps that should be taken to encourage the redevelopment of vacant and abandoned property are; partnering with municipalities

and colleges or universities to make parcel-based information on vacant and abandoned property accessible; developing a workbook and training to guide municipalities in the utilization of state law involving these properties; enhancing resources for the redevelopment of abandoned property and focusing these resources in targeted Growth Centers. As discussed in the report, the most effective steps for municipalities will vary based on the characteristics of the community, however all municipalities would benefit from some key changes; creating and maintaining a comprehensive, parcel-based database on vacant and abandoned properties, developing a clear strategy for addressing vacant and abandoned property, coordinating policies and activities involving vacant and abandoned properties in a way that is consistent with that strategy; and partner with neighborhood organizations and CDCs on the management and redevelopment of these properties.



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## Appendix B Rhode Island General Laws Relevant to Vacant and Abandoned Property

Title 23-19.2-6 Removal of Refuse, solid waste or filth.

This law allows environmental liens to be collected the same as tax liens.

Title 23 Chapter 27.3 – 125.7 Lien for Emergency Repair

This law gives boarding and demolition liens the same status as tax liens.

Title 34 Chapter 44 – The Abandoned Properties Act.

This law allows the appointment of a receiver to abate the public nuisance. Aware of one attempt to use this law. We understand that the flaw with this law is how will a receiver get back the dollars invested in the property. The law must be examined to determine what changes are needed.

Title 39-15-12 Liability of landlord for water charges – Lien  
This law gives water liens the same status as tax liens.

Title 44 Chapter 5.1 – Real Estate Non Utilization Tax

This law allows a community to impose an additional tax on a vacant property. To implement this law, a community is required to adopt an implementing ordinance [44-5.1-3 (h)]. Several communities now use this tax.

Title 44 Chapter 7-23 – Exemption on uninhabited property

This law forbids the abatement of taxes on uninhabited property.

Title 44 Chapter 9 Tax Sales

- 44-9-8.1 – Taking for taxes – A municipality has the right to take for taxes after a fourteen day notice any property that is necessary for redevelopment, revitalization or municipal purposes.

- 44-9-25.2 – Foreclosure of the rights of redemption on account of constructive abandonment – A municipality has the right to foreclose the right of redemption after thirty (30) days if the property is abandoned.

Title 45 Chapter 24.3 – Minimum Housing Code

Title 45 Chapter 31 – Redevelopment Agencies

Title 45 Chapter 31.1 – Redevelopment Code Enforcement

Title 45 chapter 32 – Redevelopment Projects

These laws allow municipalities to establish redevelopment agencies and to carry out redevelopment projects. The powers of redevelopment give great flexibility for a community to deal with the issues of abandoned property.

Title 45 Chapter 33.3 – Tax Incremental Financing

This law creates a mechanism whereby a community can bond against the future tax dollars to be realized as a result of a project. This mechanism could be used to raise dollars for addressing the abandoned property in a community.

Title 45 Chapter 44 – The Homestead Program

This law allows a municipality to establish a homestead program, to accept gifts of property that need rehabilitation and to dispose of the property to individuals who will rehabilitate it.

Title 46-25-22 – Payment of Sewer Use Fees, Charges and Assessments

This law gives Narragansett Bay Commission liens the same status as tax liens.

Housing Court – Local enabling legislation

45-2-13 Pawtucket – Appeal to Supreme Court

45-2-19 – Warwick – Appeal to Superior Court

45-2-21 – Cranston – Appeal to Superior Court

45-2-25 – Woonsocket – Appeal to Superior Court

45-2-26 – West Warwick – Appeal to Superior court

45-2-27 – Central Falls – Appeal to Superior Court

45-2-29 – Westerly – Appeal to Superior Court

45-2-30 – Narragansett – Appeal to Superior Court

45-2-32 – Charlestown – Appeal to Superior Court

45-2-34 – Tiverton – Appeal to Superior Court

45-2-37 – Middletown – Appeal to Superior Court

45-2-38 – East Providence – Appeal to Superior Court

45-2-44 – Cumberland – Appeal to Superior Court

45-2-45 – Bristol – Appeal to Superior Court

45-2-46 – Burrillville and North Smithfield – Appeal to Superior Court

45-2-47 – Warren – Appeal to Superior Court

45-2-48 – East Greenwich – Appeal to Superior Court

45-2-49 – Burrillville – Appeal to Superior Court

45-2-24 – Coventry – Appeal to Superior Court

45-24-2-7 – Providence and North Providence – Appeal to Supreme Court

## Appendix C Abandoned Property Survey Results

### Summary

Like many issues in Rhode Island, the impact of abandoned property on communities varies considerably based on the municipalities' economic status and amount of development. Of the 21 municipalities that responded to the survey, 9 suburban or rural communities felt that abandoned property was not a problem. Providence, on the other hand, currently has 652 properties that it is tracking as abandoned.

The respondents felt that the committee should focus its attention on several issues including:

- stronger building and minimum housing codes
- taxation policies to punish owners who do not maintain property
- grants or loans for developers interested in reinvesting in these properties
- closing a loophole that allows owners to avoid accountability
- industrial and commercial buildings that are underutilized

[The results sent in from the communities follow in alpha-

betical order. While grammatical changes have been made to facilitate reading, hopefully the content has not been altered. Sally Johnson, compiler]

### Barrington

Abandoned properties are tracked by the Town Manager's Office. This is not currently an issue in our community. Name, Dennis M. Phelan, Town Manager

### Burrillville

Abandoned Properties are not tracked.

*How would you track?* Unknown; the most effective way may be to conduct windshield surveys.

*How large is the problem?* In order to render a more comprehensive list, I will have to execute more windshield surveys in my spare time. I can provide you with this information, however, I'm currently too busy putting out other fires (i.e., working on other projects). I'll work harder and try to get this info...it's vitally important for me as well.

*Problems?* The obvious problems include: blight, environ-

## Abandoned Property Survey Results (Continued)

mental remediation costs (for the mill properties especially). The more abstract (indirect) problem associated with these properties actually relate to the regionalization of retail/service centers (example is the Crossings at Smithfield). Small scale service and retail ventures are difficult to re-establish within our villages because of the presence of such centers. *How do you combat abandoned property?* Building on what is written above, I will submit this question to get policy-makers thinking (there is no easy answer): With more and more subdivisions being created, disconnected from large retail shopping centers that are built in response to today's economic structure, how do we get people out of their cars? How can we create an appropriate form of economic development that is sustainable for Rhode Island's rural Villages?

*The committee should focus on...* Engage consulting services to render a report that can be distributed to realtors and developers about the profit benefits of redeveloping clustered and mixed uses. Have the report study pedestrian scale developments that were built pre-zoning, and the automobile dependent developments of today to see if there is a direct correlation between both types of development and social capital exchanges. My hypothesis is that fewer people talk to each other today, in part, because of vehicle dependence and subsequent, limited social interaction. Is this something we should fear? Does it affect sustainability?

Name, Tom Kravitz, Planner

### Central Falls

*Abandoned properties are tracked by...*

Div. of Code Enforcement 727-7460

*Problems?* Neighborhood blight, hazards, disinvestment

*How do you combat abandoned property?* Existing housing and building coase [sic]. Enforcement through fines and available legal means.

*Why do you think these properties remain vacant?* Disinvestment by owners, neglect, disregard for codes by owners

*The committee should focus on...* Stronger housing codes and enforcement

Name, Merrick A. Cook, Dir. of Planning

### Cranston

Abandoned Properties are not tracked. Frankly, this is not a huge problem in Cranston. I would say less than 5% of all properties, maybe less than 2%.

*Problems?* Ugliness, lowers neighboring property values, hangout, attracts graffiti, possible rodent problems

*How do you combat abandoned property?* We do have a municipal court that addresses such issues. But the process requires notification, renotification, court dates, and delays. The process can be lengthy and frustrating.

*Why do you think these properties remain vacant?* One reason is greed. Property owners not willing to sell for what the market will bear. Sometimes it's bizarre people who own property and refuse to throw anything away (seriously, mentally ill people). Sometimes it's just elderly who can't do things for themselves, and either can't afford help, or don't want strangers on their property

*The committee should focus on...* Perhaps some help with taxation policies that would penalize property owners for owning derelict properties. I've heard of communities doing this - in fact, we may have an ordinance on the books, but it's difficult or impossible to enforce.

Name, Kevin Flynn, Planning Director

### Cumberland

Our definition of abandoned properties includes properties with derelict buildings on them.

There are estimated to be 6 to 12 properties.

*Problems?* Fire and health hazards where derelict buildings exist. Fire problems and adverse neighborhood impacts from vacant land.

*How do you combat abandoned property?* We are only beginning to address this issue. We will be looking at local ordinances and State law including Health and Minimum Housing Codes, Solid Waste Disposal, littering and Junk Yards.

*Why do you think these properties remain vacant?* It seems these cases either involve an elderly owner no longer able to manage his or her property or out of town land speculators who are waiting for the real estate to escalate in value.

*The committee should focus on...* Look at existing programs (codes or laws) and or new regulation /code/law governing nuisances.

Name, Edward Donnelly, Planning Director

### East Greenwich

Properties are not formally tracked. Informally they are tracked by the Building Department / Planning Department and the CDBG Director.

*How large is the problem?* N/A

*Can you estimate even if you do not track?* No, probably insignificant at this time.

*Problems?* Building and Fire Code violations, depressed valuations

*How do you combat abandoned property?* Building Code notices of violations, municipal and superior court.

*Why do you think these properties remain vacant?* financial Name, William Sequino, Town Manager

### Foster

*Abandoned properties are tracked informally by...* Building Department

It is a minimal amount.

*Problems?* Overgrowth of land cover and fire hazard

*How do you combat abandoned property?* Correspondence from building official.

*Why do you think these properties remain vacant?* Divorce or elderly in nursing home and owners choose not to sell.

*The committee should focus on...* This is not an issue for Foster due to Foster's rural character.

Name, William Liberto, Planner

### Jamestown

Abandoned Properties are not tracked.

This is not a problem in Jamestown.

Name, Lisa Bryer, Town Planner

### Johnston

*Abandoned properties are tracked by...*

Builder Inspectors Office, Inspectors turn in addresses of blighted properties to minimum housing inspector-Council members in their distress and of course the public.

*How do you combat abandoned property?* After citing and sending out violation notices, we force property owners to comply with state laws and town ordinances. If property owners do not comply, we have our Department of Public works fix, repair, and/or maintain cited properties and then place a lien on said property.

*Problems?* Time in collection of said lien.

*Why do you think these properties remain vacant?* Location, condition of property - age sometimes a factor. Lack of Parking.

*The committee should focus on...* Grants-Financing-Low Interest loans and make available to developers and investors.

Name, Paul D. Santilli, Minimum Housing Inspector

### Lincoln

*Abandoned Properties are not tracked.*

*How do you combat abandoned property?* Any property identified as being blight would have to be brought to our attention by concerned residents - at that time we would investigate and research solutions for the problem.

Name, Albert V. Ranaldi, Jr., Town Planner

## Abandoned Property Survey Results (Continued)

### Newport

*Notes on the committee definition:* Not all properties that were abandoned are vacant lots. Some houses are classified as abandoned.

Abandoned Properties are not tracked, we know informally where they are, but we do not document them. There are less than 50 – could map in the future.

*Problems?* Unmaintained property (grass/weeds/trash)

Deteriorating houses (demolition by neglect)

*How do you combat abandoned property?* We use local ordinances dealing with nuisances such as junk, debris, vegetative growth. Also, we have a demolition by neglect ordinance, but only for historic zones.

*I think these properties remain vacant due to...* Financial or personal reasons of the owner or out of state/ local property owners do not care for the properties as well as locals.

*The committee should focus on...* Negative economic impacts to surrounding property values (and tax base) from these types of properties.

*Name,* Paige Bronk, Director of Planning and Zoning

### New Shoreham

There are no abandoned properties.

*Abandoned properties are tracked by...* Building Department.

*Name,* Nancy Dodge, Town Manager

### North Kingstown

The committee definition is not consistent with Webster's definition.

Abandoned properties are tracked by... Code enforcement. Only if unmaintained and through violation process.

*How large is the problem?*

*Can you estimate even if you do not track?* 3 or 4

*Problems?* Blight, harbor for animals unsafe conditions, attractive nuisance to children.

*Abandoned property is combating using...* SBC 23.27.3-104 and the RI Housing an Occupancy Code (RIHOC or Minimum Housing Code), minimum housing code is cumbersome due to notice requirement.

*Why do you think these properties remain vacant?* Probate or other /ownership problems, funding/financial problems, ambivalence, speculation.

*The committee should focus on...* re-write enforcement section of Minimum Housing Code.

*Name,* John H. Lees, Building Official

### North Providence

*Abandoned properties are tracked by...* Planning and Minimum Housing.

*How large is the problem?* Approximately less than 10 properties, ranging from vacant textile mill to vacant (and contaminated) manufacturing site to isolated small parcels.

*Problems?* Negatively affects surrounding land values, vandalism, soliciting, not receiving proper tax revenue.

*These properties remain vacant because of...* Cost to renovate.

*The committee should focus on...* Available funding (grants) to municipalities and private sector for contamination clean up and/or renovation.

*Name,* A. Ralph Molis, Mayor

### Pawtucket

*Abandoned properties are tracked by...* Zoning and Code Enforcement tracks Residential Structures only by maintaining a list that is updated monthly and properties are checked regularly by inspectors.

*How large is the problem?* 24 Residential Buildings

*Problems?* Open/boarded windows, unkempt yards, trash debris in yard.

*How do you combat abandoned property?* Yes, Property owner brought into City (municipal) Court and forced to fix up property.

*I think these properties remain vacant due to...* Foreclosures and estates.

*The committee should focus on...* Commercial and Industrial buildings. There is no ability to force clean-up. Housing units have an occupancy code that we use to force compliance. Need a nuisance law to force commercial and industrial building cleanup.

*Name,* Michael D. Cassidy, Director, Planning and Redevelopment

### Portsmouth

*Abandoned Properties are not tracked.*

*How large is the problem?* Usually three or four houses that are tie up in estates.

*Problems?* They can be poorly maintained leading to neighborhood satisfaction.

*How do you combat abandoned property?* None other than zoning/build code.

*Why do you think these properties remain vacant?* ownership issues.

*The committee should focus on...* No, this is not really a problem for us.

*Name,* Robert G. Driscoll, Town Administrator

### Providence

*Abandoned properties are tracked by* the Building Department. Inspection report generated from compliant, Information on report #of story units, cond, open or secured etc. There are six hundred fifty two (652) vacant properties.

*Problems?* fire hazards, numerous compliant, boardings, drugs, over-all blight to city.

*How do you combat abandoned property?* Office policy has been to do little with vacant property other than board & secure mortgage companies holding on to property leaving unmaintained for long periods of time market condition will dictate investment in property or other investments.

*Why do you think these properties remain vacant?* Legal avenues to hold owners accountable.

*The committee should focus on...* Close legal loop holes for not being accountable for owning blighted vacant property.

*Name,* Richard M. Vespia, Building Inspector

### South Kingstown

*Abandoned Properties are not tracked*

There are estimated to be less than 5, if that many.

This is not really a problem.

*How do you combat abandoned property?* Not currently addressed.

*Name,* Jean-Paul Bouchard, Tax Assessor

### Warren

*Abandoned Properties are tracked by...* Tax Collector's Office, the Annual Tax Sale would show any abandoned properties.

*How large is the problem?* We do not have any abandoned buildings.

*Name,* Michael Abbruzzi, Town Manager

### West Greenwich

*Abandoned Properties are not tracked.*

This is not a problem in this community.

*Name,* Kevin A. Breene, Town Administrator

### West Warwick

*How large is the problem?* 1,000,000 sq. ft. of mill space

*Problems?* blight, health and safety, fire protection

*Why do you think these properties remain vacant?* I believe the market recently changed and they are becoming more attractive.

*Name,* Wolfgang Bauer, Town Manager

### Westerly

*Abandoned properties are tracked by...* Minimum Housing and Zoning.

*Problems?* rats, safety, weeds.

*How do you combat abandoned property?* Safety issues are most successful.

*Name,* Pam Nolan, Town Manager



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